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# The Minnesota State Register

Department of Administration—Print Communications Division

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Monday 9 December 1991  
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# State Register

## Judicial Notice Shall Be Taken of Material Published in the *State Register*

The *State Register* is the official publication of the State of Minnesota, containing executive and commissioners' orders, proposed and adopted rules, official and revenue notices, state and non-state contracts, contract awards, grants, a monthly calendar of cases to be heard by the state supreme court, and announcements.

A *Contracts Supplement* is published every Thursday and contains additional state contracts and advertised bids, and the most complete source of state contract awards available in one source.

### Printing Schedule and Submission Deadlines

Vol. 16 Issue Number	*Submission deadline for Adopted and Proposed Rules, Commissioners' Orders**	*Submission deadline for Executive Orders, Contracts, and Official Notices**	Issue Date
24	Monday 25 November	Monday 2 December	Monday 9 December
25	Monday 2 December	Monday 9 December	Monday 16 December
26	Monday 9 December	Monday 16 December	Monday 23 December
27	Monday 16 December	Friday 20 December	Monday 30 December

\*Deadline extensions may be possible at the editor's discretion; however, none will be made beyond the second Wednesday (12 calendar days) preceding the issue date for rules, proposed rules and executive orders, or beyond the Wednesday (5 calendar days) preceding the issue date for official notices. Requests for deadline extensions should be made only in valid emergency situations.

\*\*Notices of public hearings on proposed rules and notices of intent to adopt rules without a public hearing are published in the Proposed Rules section and must be submitted two weeks prior to the issue date.

Instructions for submission of documents may be obtained from the *State Register* editorial offices, 504 Rice Street, St. Paul, Minnesota 55103, (612) 296-4273.

The *State Register* is published every Monday (Tuesday when Monday is a holiday) by the State of Minnesota, Department of Administration, Print Communications Division, 117 University Avenue, St. Paul, Minnesota 55155, pursuant to *Minnesota Statutes* § 14.46. A *State Register Contracts Supplement* is published every Thursday. The Monday edition is the vehicle for conveying all information about state agency rulemaking, including official notices; hearing notices; proposed, adopted and emergency rules. It also contains executive orders of the governor; commissioners' orders; state contracts and advertised bids; professional, technical and consulting contracts; non-state public contracts; state grants; decisions of the supreme court; a monthly calendar of scheduled cases before the supreme court; and other announcements. The Thursday edition contains additional state contracts and advertised bids, and the most complete listing of contract awards available in one source.

In accordance with expressed legislative intent that the *State Register* be self-supporting, the following subscription rates have been established: the Monday edition costs \$140.00 per year and includes an index issue published in August (single issues are available at the address listed above for \$3.50 per copy); the combined Monday and Thursday editions cost \$195.00 (subscriptions are not available for just the *Contracts Supplement*); trial subscriptions are available for \$60.00, include both the Monday and Thursday edition, last for 13 weeks, and may be converted to a full subscription anytime by making up the price difference. No refunds will be made in the event of subscription cancellation.

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Subscribers who do not receive a copy of an issue should notify the *State Register* circulation manager immediately at (612) 296-0931. Copies of back issues may not be available more than two weeks after publication.

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## NOTICE: How to Follow State Agency Rulemaking in the State Register

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 75 state agencies have the authority to issue rules. Each agency is assigned specific *Minnesota Rule* chapter numbers. Every odd-numbered year the *Minnesota Rules* are published. This is a ten-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Proposed and adopted emergency rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

If an agency seeks outside opinion before issuing new rules or rule amendments, it must publish a NOTICE OF INTENT TO SOLICIT OUTSIDE OPINION in the *Official Notices* section of the *State Register*. When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues 1-13 inclusive; issues 14-25 inclusive; issue 26, cumulative for issues 1-26; issues 27-38 inclusive; issue 39, cumulative for 1-39; issues 40-51 inclusive; and issue 52, cumulative for 1-52. An annual subject matter index for rules appears in August. For copies of the *State Register*, a subscription, the annual index, the *Minnesota Rules* or the *Minnesota Guidebook to State Agency Services*, contact the Print Communications Division, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000 or toll-free in Minnesota 1-800-9747.

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## Proposed Rules

Pursuant to Minn. Stat. §§ 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless 25 or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules; and
4. that the rule may be modified if the modifications are supported by the data and views submitted.

If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

Pursuant to Minn. Stat. §§ 14.29 and 14.30, agencies may propose emergency rules under certain circumstances. Proposed emergency rules are published in the *State Register* and, for at least 25 days thereafter, interested persons may submit data and views in writing to the proposing agency.

## Harmful Substance Compensation Board

### Proposed Permanent Rules Relating to Compensation for Property Damage Losses

#### Notice of Proposed Adoption of a Rule Without a Public Hearing

**NOTICE IS HEREBY GIVEN** that the Harmful Substance Compensation Board proposes to adopt the above-entitled rule without a public hearing following the procedures set forth in *Minnesota Statutes*, sections 14.22 to 14.28. The statutory authority to adopt the rule is *Minnesota Statutes* Section 115B.34, subdivision 2.

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part of the subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to *Minnesota Statutes*, Sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to:

Jean Small-Johnson  
Harmful Substance Compensation Board  
2700 University Avenue West, #115  
St. Paul, Minnesota 55114  
612/642-0455

The proposed rule may be modified if the modifications are supported by data and views and do not result in a substantial change in the proposed rule as noticed.

A copy of the proposed rule is attached to this notice.

A **STATEMENT OF NEED AND REASONABLENESS** that describes the rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available upon request by writing or telephoning the Board's office at the address or telephone number listed above.

Promulgation of the proposed rule will not result in the expenditure of public monies by local public bodies, have an impact on agricultural land or an impact on small businesses.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General to review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit the written request to the executive director at the address listed above.

Jean Small-Johnson  
Executive Director  
Harmful Substance Compensation Board

**Rules as Proposed (all new material)****7190.1100 DEFINITIONS.**

Subpart 1. **Scope.** The terms used in parts 7190.1110 to 7190.2010 have the meanings given them in this part.

Subp. 2. **Contamination.** "Contamination" means:

A. the presence of a harmful substance in or on property that resulted from an intentional or accidental release of the harmful substance from a facility; or

B. the imminent and substantial threat of contamination due to the movement of the harmful substance in the direction of the property, as determined by the Pollution Control Agency or the Department of Health.

Subp. 3. **Date of discovery of contamination.** "Date of discovery of contamination" means the date a claimant discovered or should have discovered the contamination of the property.

Subp. 4. **Harmful substance.** "Harmful substance" has the meaning given in *Minnesota Statutes*, section 115B.25.

Subp. 5. **Residential homestead.** "Residential homestead" means property that qualifies as the owner's homestead under *Minnesota Statutes*, section 273.124. If the homestead is also a family farm as defined in *Minnesota Statutes*, section 500.24, subdivision 2, paragraph (b), the property includes one acre of the land surrounding the residence, but does not include any other structures that may be located on it.

**7190.1110 PRINCIPAL RESIDENCE.**

For purposes of identifying property losses eligible for compensation under *Minnesota Statutes*, section 115B.34, the principal residence of the claimant is the property that is:

- A. the claimant's current principal residence under part 7190.1120;
- B. a residence owned but not occupied by the claimant under part 7190.1130;
- C. a residence that was purchased by the claimant after the date of discovery under part 7190.1140;
- D. the claimant's intended principal residence under part 7190.1150;
- E. the claimant's past principal residence under part 7190.1160; or
- F. sold by the claimant under part 7190.1170.

**7190.1120 CURRENT PRINCIPAL RESIDENCE.**

The current principal residence of the claimant is the property that is the claimant's residential homestead, except that the residence must be owned and occupied by the claimant, and used for the purposes of a homestead as of the date of discovery of contamination, not the date of assessment.

**7190.1130 RESIDENCE OWNED BUT NOT OCCUPIED.**

A residence owned but not occupied by the claimant is eligible as the claimant's principal residence if it otherwise qualifies under part 7190.1120 and:

- A. the claimant no longer resides at the residence because of marital separation or divorce; or
- B. the claimant is a resident of a nursing home or boarding care facility.

**7190.1140 PROPERTY PURCHASED AFTER DATE OF DISCOVERY.**

A residence purchased by the claimant for use as a residential homestead after the date of discovery of contamination is eligible as the claimant's principal residence if it is used as the claimant's residential homestead and the claimant can show that:

- A. a written purchase agreement or contract which committed the claimant to purchase the property was made prior to the date of discovery of contamination; or
- B. the property was purchased with the reasonable expectation that the property damage would be fully remedied by public or other funding sources without cost to the claimant.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

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### 7190.1150 INTENDED PRINCIPAL RESIDENCE.

Subpart 1. **Description.** Property purchased by the claimant for the purpose of owning and occupying a residence including construction of a new residence on that property is eligible as the claimant's principal residence if the claimant:

A. had purchased the property, or contracted for the purchase of the property, as shown by a written purchase agreement, before the date of discovery of contamination; and

B. can demonstrate to the board that before the date of discovery of contamination the claimant intended to occupy a home as a residential homestead on the property.

Subp. 2. **Claimant's intent.** The intent to occupy a principal residence on the property before the date of discovery of contamination, as required in subpart 1, item B, may be demonstrated by construction contracts or plans, a public listing or advertisement to sell the current residence, or other documents or actions that make a similar showing.

### 7190.1160 PAST PRINCIPAL RESIDENCE.

Residential property owned by the claimant that is unoccupied and actively on the market for sale at the time of the discovery of contamination is eligible as the claimant's principal residence if:

A. the property was the residential homestead of the claimant immediately before or at the time of placing the property on the market; and

B. the commitment to change residence and sell the property, evidenced by a purchase agreement, contract for sale, contract with a realtor, or other documentation of active sale listing by the claimant, was made before the date of discovery of contamination.

### 7190.1170 RESIDENTIAL PROPERTY THAT HAS BEEN SOLD.

Residential property that has been sold by the claimant is eligible as the claimant's principal residence if:

A. the property was the residential homestead of the claimant on the date of discovery of contamination; and

B. the claimant was assessed or otherwise realized the loss before the sale or at the time of the sale, or the claimant expressly agrees in the sale agreement to reimburse the buyer when the amount of loss becomes known.

### 7190.1180 TWO PROPERTIES MAY QUALIFY.

If a claimant owns both a current principal residence under part 7190.1120 and an intended principal residence under part 7190.1150, both properties are eligible as the claimant's principal residence.

If a claimant owns both a current principal residence under part 7190.1120 and a past principal residence under part 7190.1160, both properties are eligible as the claimant's principal residence.

### 7190.1190 ELIGIBLE LOSSES RELATED TO REPLACEMENT OR DECONTAMINATION OF PRIMARY SOURCE OF DRINKING WATER.

Subpart 1. **Limitation.** Property damage losses related to the replacement or decontamination of the primary source of drinking water are limited to the costs of replacement or decontamination of the system that:

A. services the individual claimant's property only; or

B. extends distribution of an existing municipal water supply to the property.

The cost of construction of a system that provides for the expansion of the community water system or that provides benefits to the community in general is not eligible.

Subp. 2. **Operational as of date of discovery.** Except as provided in subpart 3, to be eligible for replacement or decontamination expenses, the primary source of drinking water for a claimant's property as described in subpart 1 must be operational and in use by the property owner on the date of discovery of contamination.

Subp. 3. **Private wells under construction.** A private drinking water well located on property that qualifies as the claimant's principal residence under part 7190.1110 is eligible for replacement or decontamination expenses that exceed the anticipated contract costs for construction of the well if at the time of discovery of contamination:

A. the well is under construction on the property; or

B. a binding contract for construction of the well has been entered into.

### 7190.2000 HARDSHIP.

For purposes of determining eligibility for compensation for losses incurred in the sale of a principal residence under *Minnesota Statutes*, section 115B.34, subdivision 2, paragraph (a), clause (2), or losses incurred as a result of the inability of an owner to sell a principal residence under *Minnesota Statutes*, section 115B.34, subdivision 2, paragraph (a), clause (3), the factors in item A or B constitute a hardship to the owner.

A. An urgent need to sell the residence based on a special circumstance, including the following:

- (1) loss of household income;
- (2) owner's job relocation;
- (3) catastrophic medical expenses for which the owner is responsible; or
- (4) owner's physical disability.

B. An urgent need to sell a property due to a commitment to purchase a new residence, if the claimant:

- (1) committed in writing to the purchase of the new residence and publicly listed or advertised to sell the property before the date of discovery of contamination; and
- (2) the discovery of contamination occurred during the time the property was on the market.

#### **7190.2010 ELIGIBLE LOSSES ASSOCIATED WITH THE NEED TO MAINTAIN TWO RESIDENCES.**

Subpart 1. **Eligible losses.** Losses eligible for reimbursement under *Minnesota Statutes*, section 115B.34, subdivision 2, paragraph (a), clause (3), include all essential utilities, property tax, necessary homeowner's insurance, mortgage interest expenses, and other property maintenance expenses. The claimant must have incurred the expenses on the principal residence after it had been on the market for a time equal to the average days on the market for comparable home sales outside the area of contamination. Average days on the market shall be determined from the multiple listing service data of the local real estate association for the listing year and locale.

Subp. 2. **Additional expenses.** Additional property maintenance expenses are compensable to the extent that they are determined by the board to be necessary to maintain the property value and marketability.

## **Department of Jobs and Training**

### **Proposed Permanent Rules Governing Designation and Recognition of Community Action Agencies and Granting of Funds for Community Action Programs**

#### **Notice of Intent to Adopt Rules Without a Public Hearing**

**NOTICE IS HEREBY GIVEN** that the State Department of Jobs and Training (DJT) proposes to adopt the above-entitled rules without a public hearing following the procedures set forth in *Minnesota Statutes*, section 14.22 to 14.28.

This notice applies to the proposed rules for which the DJT previously published a **Notice of Intent to Adopt Rules Without a Public Hearing** in the *State Register* on March 4, 1991 (15 SR 1902). All comments received during the comment period after the March 4, 1991 notice will be made a part of this rulemaking proceeding.

The proposed rules interpret those parts of *Minnesota Statutes*, sections 268.52 through 268.54 which designate and recognize community action agencies and define the activities and projects funded as community action programs. These rules have been developed as authorized by *Minnesota Statutes*, sections 268.021 and 268.0122, subdivision 5, which permit the Commissioner of the Department of Jobs and Training to adopt rules governing programs the Commissioner administers under *Minnesota Statutes*, chapter 268.

Persons interested in these rules will have 30 days in which to submit comment in support of or in opposition to the proposed rules or any part or subpart of the rules and comment is encouraged. Each comment should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rules addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to *Minnesota Statutes*, sections 14.131 to 14.20. To verify whether a hearing will be held, please call the Department of Jobs and Training on or after January 10, 1992 at (612) 297-1094.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. **Strike outs** indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. **Strike outs** indicate deletions from proposed rule language.

## Proposed Rules

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Persons who wish to submit comments or a written request for a public hearing must submit such comments or requests to:

Connie Greer  
Community Based Services  
670 American Center Building  
St. Paul, MN 55101

Comments or requests for a public hearing must be received by the Department by 4:30 p.m. on January 9, 1992.

The proposed rules may be modified if the modifications are supported by data and views and do not result in a substantial change in the proposed rules as noticed.

In 1981, the Minnesota Legislature passed *Minnesota Statutes*, sections 268.52 through 268.54, which authorized the department to financially assist community action agencies in the implementation of community action programs.

The proposed rules at *Minnesota Rules*, parts 3350.0010 to 3350.0200 are all new material.

The proposed rules embody existing departmental policy and practice and interpret state and federal law. In promulgating portions of the rules, the department has drawn on the past and present national experience in administering community action programs. The major portions of these rules address (1) the process of selecting community action agencies through designation on the local level and recognition on the state level; (2) the annual application process for funding community action programs; (3) reporting and planning requirements for receipt of funds; (4) voluntary cessation of program operations; (5) participation of low income people; (6) withholding and termination of funds under specialized circumstances; and (7) procedures for appealing the termination of funding, as well as designation of recognition.

A copy of these rules is available for your review from Connie Greer at the above address or can be found at 15 *State Register* 1902-1923 (March 4, 1991).

A fiscal note will not be prepared. The authority for these proposed rules, *Minnesota Statutes*, sections 268.52 through 268.54, was enacted before July 1, 1985. Therefore, these proposed rules need not include a fiscal note under exceptions provided by *Minnesota Statutes*, section 3.983, subdivision 3. Pursuant to *Minnesota Statutes*, section 14.11, subdivision 1, the agency estimates that there will be no cost to any local public bodies for the two years immediately following adoption. The estimate is based on no anticipated designation hearings or other hearings in the foreseeable future.

If no hearing is required upon adoption of the rules, the rules and the required supporting documents will be delivered to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General.

Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rules, must submit the written requests to Connie Greer.

R. Jane Brown, Commissioner  
Department of Jobs and Training

## Department of Public Service

### Proposed Permanent Rules Relating to Thermal Insulation Standards

#### Notice of Intent to Amend Rules Without a Public Hearing

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Public Service intends to adopt amendments to *Minnesota Rules* Chapter 7640, without a public hearing. The Commissioner has determined that the proposed amendment of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in the *Minnesota Statutes*, sections 14.22 to 14.28. Authority for the adoption of these rules is contained in *Minnesota Statutes*, sections 325F.20, subd. 1 and 325F.21, subd. 1 and 2.

*Minnesota Rules* Chapter 7640 apply to manufacturers, sellers and installers of residential thermal insulation products sold or installed in Minnesota.

All persons have 30 days in which to submit comment in support of or in opposition to any part or subpart of the proposed amendments. Comment is encouraged. Each comment should identify the proposed amendment addressed, the reason for the comment, and any change proposed.

All persons may make a written request for a public hearing on the proposed amendments within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their requests in writing. Any person requesting a public hearing must state his or her name and address and is encouraged to identify the portion of the proposed amendment addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to *Minnesota Statutes*, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to:

Bruce Nelson, Senior Engineer  
Department of Public Service, Energy Division  
790 American Center Building  
150 East Kellogg Boulevard  
St. Paul, MN 55101  
phone (612) 297-2313 fax (612) 297-1959

Comments or requests for a public hearing must be received no later than 4:00 p.m., January 16, 1992.

The proposed amendments may be modified if the modifications are supported by the data and views submitted to the Department and do not result in a substantial change in the proposed amendments as noticed.

A Copy of the proposed rule amendment is attached to this notice.

A **STATEMENT OF NEED AND REASONABLENESS** that describes the need for and reasonableness of each provision of the proposed amendments and identifies the data and information relied upon to support the proposed amendments has been prepared and is available by requesting a copy from Mr. Nelson at the address listed above.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent that form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rules, must submit a written request for such to Mr. Nelson at the address listed above.

Dated: 18 November 1991

Krista L. Sanda, Commissioner  
Department of Public Service

## Rules as Proposed

### 7640.0110 APPLICABILITY.

Subpart 1. **Types of residential insulation products covered.** This chapter applies to insulation products for use in residential buildings. These include insulation for walls, ceilings, floors, foundation walls, pipe insulation, duct insulation, and retrofit water heater blanket insulation.

Not included are insulation used in manufactured appliances, windows, and doors, ~~and insulation used in new manufactured homes assembled outside Minnesota.~~

[For text of subps 2 to 4, see M.R.]

### 7640.0120 DEFINITIONS.

[For text of subps 1 and 2, see M.R.]

Subp. 3. **Approved laboratory.** "Approved laboratory" means any testing facility, including a facility owned or operated by a manufacturer, that has been accredited by one or more of the following agencies to perform the required test:

A. United States Department of Commerce, National Voluntary Laboratory Accreditation Program (NVLAP), Gaithersburg, Maryland; ~~or~~

B. American Association for Laboratory Accreditation, Gaithersburg, Maryland; or

C. Standards Council of Canada, Ottawa, Ontario, Canada.

Exception: In the event that an approved laboratory program is temporarily delayed or is not capable of being accredited to perform a test or tests, a testing laboratory possessing the appropriate equipment, facilities, and qualified personnel to perform the required testing is an approved laboratory.

[For text of subps 4 to 25, see M.R.]

Subp. 26. [See repealer.]

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

### 7640.0130 INSULATION MATERIALS STANDARDS.

[For text of subpart 1, see M.R.]

Subp. 2. **General testing requirements.** General testing requirements for regulated thermal insulation materials in this part are as follows:

[For text of item A, see M.R.]

B. All regulated thermal insulation materials must be tested for compliance with the standards in this part as follows: according to subitems (1) to (4).

(1) ~~Until April 2, 1986, testing must be performed only at a testing laboratory possessing the appropriate equipment, facilities, and qualified personnel necessary to perform testing required by parts 7640.0130 to 7640.0160. Tests performed in the 1985 calendar year are acceptable.~~

(2) ~~After April 2, 1986, all Required testing must be performed by an approved laboratory within two years of the filing of the initial report required by part 7640.0150.~~

(3) ~~(2) The thermal insulation material chosen for testing must be representative of material produced by the manufacturer during normal production runs.~~

(4) ~~(3) Testing for each type of insulation must be performed in accordance with the methods specified in subparts 3 to 8.~~

(5) ~~(4) Insulation must have flammability characteristics in accordance with the UBC Uniform Building Code, sections 1712 and 1713, for its intended uses.~~

[For text of items C and D, see M.R.]

### Subp. 3. Cellulose insulation.

[For text of item A, see M.R.]

B. Cellulose fiber spray-applied must meet the following requirements: comply with ASTM C 1149.

(1) ~~The basic material must consist of virgin or recycled wood based cellulose fiber. It may be made from related paper or paperboard stock, stock that does not contain contaminated materials and extraneous foreign materials, such as metals and glass, that could be retained in the finished product. Suitable chemicals may be introduced to improve flame resistance, processing, adhesive and cohesive qualities, and handling characteristics. The added chemicals must not create a health hazard.~~

~~The basic material must be processed into a form suitable for installation by pneumatic conveying equipment and simultaneous mixing with water or adhesive at the spray nozzle.~~

(2) ~~All testing must be performed on spray applied cellulose.~~

(3) ~~Determination of thermal performance must be in accordance with subpart 2, item C, at the test defined density of the material. R value testing must be performed at a thickness of material of two inches, unless the material is designed for use at a lesser maximum thickness and the material is so designated on the label or label notice by the manufacturer. It must then be tested at the maximum thickness of suggested use.~~

(4) ~~Density must be determined in accordance with ASTM E 605. The density established by this test must be used in the preparation of manufacturer's installation guidelines and in the determination of thermal performance.~~

(5) ~~Critical radiant flux and smoldering combustion must be in accordance with ASTM C 739, or the CPSC Interim Safety Standard for Cellulose Insulation, Code of Federal Regulations, title 16, part 1209.~~

(6) ~~Moisture absorption must be determined in accordance with section 14 of ASTM C 553. Moisture absorption must not exceed 15 percent by weight.~~

(7) ~~The product must have a minimum adhesive/cohesive bond strength per unit area of five times the weight of the material under the test plate when tested in accordance with ASTM E 736.~~

~~Exception: Testing and compliance with bond strength criteria are not required of products that are intended only for installation in enclosed cavities, and the product is identified as intended only for those installations.~~

(8) ~~Corrosion must be in accordance with ASTM C 739, or the CPSC Interim Safety Standard for Cellulose Insulation, Code of Federal Regulations, title 16, part 1209. If the product in loose-fill form meets the criteria in ASTM C 1149, section 4.8, for corrosion, then a test of the product in spray-applied form is unnecessary.~~

(9) ~~Odor emission must be in accordance with ASTM C 739, or the CPSC Interim Safety Standard for Cellulose Insulation, Code of Federal Regulations, title 16, part 1209. (2) If the product in loose-fill form meets the criteria in ASTM C 1149, section 4.10, for odor emission, then a test of the product in spray-applied form is unnecessary.~~

(10) Fungi resistance must be in accordance with ASTM C 739, or the CPSC Interim Safety Standard for Cellulose Insulation, Code of Federal Regulations, title 16, part 1209. (3) If the product in loose-fill form meets the criteria in ASTM C 1149, section 4.7, for fungi resistance, then a test of the product in spray-applied form is unnecessary.

[For text of subs 4 to 7, see M.R.]

Subp. 8. **Other insulation.** Insulation other than insulation specified in subparts 1 to 7 must comply with the requirements in items A to F.

[For text of items A to D, see M.R.]

E. The product must not produce a detectable odor that is classified as objectionable and strong or very strong by two or more panel members when tested in accordance with ASTM C 739, section 13, or ASTM C 553, section 15.

[For text of item F, see M.R.]

#### 7640.0160 APPLICATION AND INSTALLATION STANDARDS.

[For text of subpart 1, see M.R.]

##### Subp. 2. **Application and inspection.**

[For text of items A to D, see M.R.]

E. Installation of radiant barrier systems must be in conformance with ASTM C 1158.

F. Installers of urea formaldehyde foam insulation shall conform with *Minnesota Statutes*, section 325F.18, and *Minnesota Rules*, parts 4620.1600 to 4620.2100.

F. G. State and local agencies using appropriated federal funds and persons contracting with state or local agencies with respect to work performed under the contracts shall comply with Code of Federal Regulations, title 40, part 248, Guideline for Federal Procurement of Building Products Containing Recovered Materials.

[For text of subp 3, see M.R.]

#### 7640.0180 INCORPORATIONS BY REFERENCE AND CITATIONS.

[For text of subpart 1, see M.R.]

Subp. 2. **ASTM.** The following ASTM standards are incorporated by reference:

A. ~~ASTM C 468-88a~~ 168-90, ~~Standard Definitions of Terms Terminology~~ Relating to Thermal Insulation Insulating Materials.

[For text of item B, see M.R.]

C. ~~ASTM C 236-87~~ 236-89, Standard Test Method for Steady State Thermal Performance of Building Assemblies by Means of a Guarded Hot Box.

[For text of item D, see M.R.]

E. ASTM C 516-80 (reapproved ~~1985~~ 1990), Standard Specification for Vermiculite Loose-Fill Thermal Insulation.

F. ~~ASTM C 518-85~~ 518-91, Standard Test Method for Steady State Heat Flux Measurements and Thermal Transmission Properties by Means of the Heat Flow Meter Apparatus.

G. ASTM C 549-81 (reapproved ~~86~~ 1986), Standard Specification for Perlite Loose Fill Insulation.

[For text of items H to K, see M.R.]

L. ~~ASTM C 727-72 (reapproved 1978)~~ 727-90, Standard Recommended Practice for Use of Reflective Insulation in Building Constructions.

M. ~~ASTM C 739-88~~ 739-91, Standard Specification for Cellulosic Fiber (wood-base) Loose-Fill Thermal Insulation.

N. ~~ASTM C 764-88~~ 764-91, Standard Specification for Mineral Fiber Loose-Fill Thermal Insulation.

[For text of item O, see M.R.]

P. ~~ASTM C 976-82~~ 976-90, Standard Test Method for Thermal Performance of Building Assemblies by Means of a Calibrated Hot Box.

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## Proposed Rules

[For text of item Q, see M.R.]

R. ASTM C 1015-84 (reapproved 1990), Standard Practice for Installation of Cellulosic and Mineral Fiber Loose-Fill Thermal Insulation.

S. ASTM C ~~4029-85~~ 1029-90, Standard Specification for Spray-Applied Rigid Cellular Polyurethane Thermal Insulation.

[For text of items T and U, see M.R.]

V. ASTM C 1149-90, Specification for Self-Supported Spray-Applied Cellulosic Thermal, or Acoustical Insulation, or Both.

W. ASTM C 1158-90, Practice for Use and Installation of Radiant Barrier Systems (RBS) in Building Constructions.

X. ASTM D 2842-69 (reapproved 1975), Standard Test Method for Water Absorption of Rigid Cellular Plastics.

~~W-~~ Y. ASTM E 84-84 Revision A, Surface Burning Characteristics of Building Materials.

~~X-~~ Z. ASTM E 408-71 (reapproved 1985), Standard Test Methods for Total Normal Emittance of Surfaces Using Inspection Meter Techniques.

~~Y-~~ ASTM E ~~605-77~~ (reapproved 1982), Thickness and Density of Sprayed Fire-Resistive Material Applied to Structural Members.

~~Z-~~ ASTM E ~~736-86~~, Test for Cohesion/Adhesion of Sprayed Fire Resistive Materials Applied to Structural Members.

[For text of subp 2a, see M.R.]

Subp. 3. **Other incorporation and citations.** The following non ASTM standards are also incorporated by reference:

[For text of items A to E, see M.R.]

F. Uniform Building Code (~~1985~~ 1988 Edition), by the International Conference of Building Officials.

[For text of items G to L, see M.R.]

Subp. 4. **Availability.** The standards incorporated by reference are available for public inspection as follows:

A. All documents incorporated by reference in this chapter are available at the following locations:

(+) Minnesota State Law Library; and

(-) James J. Hill Reference Library.

[For text of item B, see M.R.]

**REPEALER.** Minnesota Rules, part 7640.0120, subpart 26, is repealed.

## Veterans Homes Board

### Proposed Permanent Rules Relating to Facility Services; Resident Rights; Responsibilities

#### Notice of Intent to Adopt a Rule Without a Public Hearing and Notice of Intent to Adopt a Rule With a Public Hearing If Twenty-five or More Persons Request a Hearing

**NOTICE IS HEREBY GIVEN** that the Minnesota Veterans Homes Board of Directors proposes to adopt the above-entitled rule without a public hearing following the procedures set forth in *Minnesota Statutes*, sections 14.22 to 14.28. The specific statutory authority to adopt the rule is *Minnesota Statutes*, section 198.003, as amended by *Laws of Minnesota 1991*, Chapter 24.

Persons interested in this rule shall have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule and comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to *Minnesota Statutes*, section 14.131 to 14.20. PLEASE NOTE THAT IF TWENTY-FIVE OR MORE PERSONS SUBMIT WRITTEN REQUESTS FOR A PUBLIC HEARING WITHIN THE 30-DAY COMMENT PERIOD, A HEARING WILL BE HELD ON TUESDAY, JANUARY 28, 1992, UNLESS A SUFFICIENT NUMBER WITHDRAW THEIR REQUEST, IN ACCORDANCE WITH THE NOTICE OF PUBLIC HEARING ON THESE SAME RULES PUBLISHED IN THIS *STATE REGISTER* AND MAILED TO PERSONS REGISTERED WITH THE VETERANS HOMES BOARD.

To verify whether a hearing will be held, please call the Veterans Homes Board offices between January 9 and January 27, 1992 at (612) 297-5254.

Persons who wish to submit comments or a written request for a public hearing must submit such comments or requests to:

Eileen Hanlon  
Minnesota Veterans Homes Board  
Suite 122, Veterans Service Building  
20 West 12th Street  
St. Paul, Minnesota 55155

Comments or requests for a public hearing must be received by the Board office by 4:30 p.m. on Wednesday, January 8, 1992.

The proposed rule may be modified if the modifications are supported by data and views and do not result in a substantial change in the proposed rule as noticed.

A free copy of this rule is available upon request for your review from:

Eileen Hanlon  
Minnesota Veterans Homes Board  
Suite 122, Veterans Service Building  
20 West 12th Street  
St. Paul, Minnesota 55155  
(612) 297-5254

*Minnesota Rules*, Parts 9050.0040 and 9050.1000 to 9050.1070 govern facility services that are provided to residents of the Minnesota Veterans Homes and resident rights and responsibilities. A copy of the proposed rule is attached to this notice.

A **STATEMENT OF NEED AND REASONABLENESS** that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available upon request from:

Eileen Hanlon  
Minnesota Veterans Homes Board  
Suite 122, Veterans Service Building  
20 West 12th Street  
St. Paul, Minnesota 55155  
(612) 297-5254

Adoption of these rules will not result in additional spending by local public bodies in excess of \$100,000 per year for the first two years following adoption under the requirements of *Minnesota Statutes*, section 14.11.

If no hearing is required upon adoption of the rule, the rule and the required supporting documents will be delivered to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit the written request to:

Eileen Hanlon  
Minnesota Veterans Homes Board  
Suite 122, Veterans Service Building  
20 West 12th Street  
St. Paul, Minnesota 55155

James G. Sieben  
Chair, Veterans Homes Board of Directors

**Notice of Hearing and Notice of Intent to Cancel Hearing If Fewer Than Twenty-five Persons Request a Hearing in Response to Notice of Intent to Adopt Rules Without a Public Hearing**

**NOTICE IS HEREBY GIVEN** that a public hearing on the above-entitled matter will be held at the Veterans Service Building, 5th floor Conference Room, 20 West 12th Street, St. Paul, Minnesota, 55155, on Tuesday, January 28, 1992, commencing at 9:30

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

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a.m. and continuing until all interested or affected persons have an opportunity to participate. The proposed rules may be modified as a result of the hearing process. Therefore, if you are affected in any manner by the proposed rules, you are urged to participate in the rule hearing process.

PLEASE NOTE, HOWEVER, THAT THE HEARING WILL BE CANCELED IF FEWER THAN TWENTY-FIVE PERSONS REQUEST A HEARING IN RESPONSE TO THE NOTICE OF INTENT TO ADOPT THESE SAME RULES WITHOUT A PUBLIC HEARING PUBLISHED IN THIS *STATE REGISTER* AND MAILED TO PERSONS REGISTERED WITH THE VETERANS HOMES BOARD OF DIRECTORS. To verify whether a hearing will be held, please call the Veterans Homes Board Offices between January 9 and January 27, 1992, at (612) 297-5254.

Following the agency's presentation at the hearing, all interested or affected persons will have an opportunity to participate. Such persons may present their views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should be pertinent to the matter at hand. Written material not submitted at the time of the hearing which is to be included in the hearing record may be mailed to Judge Peter Erickson, Administrative Law Judge, Office of Administrative Hearings, 310 Fourth Avenue South, Flour Exchange Building, 5th floor, Minneapolis, Minnesota, 55415; telephone (612) 341-7606, either before the hearing or within five working days after the public hearing ends. The Administrative Law Judge may at the hearing, order the record be kept open for a longer period not to exceed 20 calendar days. The comments received during the comment period shall be available for review at the Office of Administrative Hearings. Following the close of the comment period the agency and all interested persons have three business days to respond in writing to any new information submitted during the comment period. During the three-day period, the agency may indicate in writing whether there are amendments suggested by other persons which the agency is willing to adopt. No additional evidence may be submitted during the three-day period. The written responses shall be added to the rulemaking record. Upon the close of the record the Administrative Law Judge will write a report as provided for in *Minnesota Statutes*, sections 14.15 and 14.50. The rule hearing is governed by *Minnesota Statutes*, section 14.14 to 14.20 and by *Minnesota Rules*, parts 1400.0200 to 1400.1200. Questions about procedure may be directed to the Administrative Law Judge.

*Minnesota Rules*, Parts 9050.0040 and 9050.1000 to 9050.1070 govern facility services that are provided to residents of the Minnesota Veterans Homes and resident rights and responsibilities. A copy of the proposed rule is attached to this notice.

The agency's authority to adopt the proposed rules is contained in *Minnesota Statutes*, section 198.003, as amended by *Laws of Minnesota 1991*, Chapter 24. Adoption of these rules will not result in additional spending by local public bodies in excess of \$100,000 per year for the first two years following adoption under the requirements of *Minnesota Statutes*, section 14.11.

Copies of the proposed rules are now available and at least one free copy may be obtained by writing to:

Eileen Hanlon  
Minnesota Veterans Homes Board  
Suite 122, Veterans Service Building  
20 West 12th Street  
St. Paul, Minnesota 55155

Additional copies will be available at the hearing. If you have any questions on the content of the rule, contact Eileen Hanlon at (612) 297-5254.

**NOTICE:** Any person may request notification of the date on which the Administrative Law Judge's report will be available, after which date the agency may not take any final action on the rules for a period of five working days. If you desire to be notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the Administrative Law Judge. Any person may request notification of the date on which the rules were adopted and filed with the secretary of state. The notice must be mailed on the same day the rules are filed. If you want to be so notified you may so indicate at the hearing or send a request in writing to the agency at any time prior to the filing of the rules with the secretary of state.

**NOTICE IS HEREBY GIVEN** that a **STATEMENT OF NEED AND REASONABLENESS** is now available for review at the agency and at the Office of Administrative Hearings. The **STATEMENT OF NEED AND REASONABLENESS** includes a summary of all the evidence and argument which the agency anticipates presenting at the hearing justifying both the need for and reasonableness of the proposed rules. Copies of the **STATEMENT OF NEED AND REASONABLENESS** may be reviewed at the agency or the Office of Administrative Hearings and copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

*Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Ethical Practices Board. Questions should be directed to the Ethical Practices Board, 625 North Robert Street, St. Paul, Minnesota 55101-2520, telephone (612) 296-5148.

James G. Sieben  
Chair, Veterans Homes Board of Directors

### Rules as Proposed

#### 9050.0040 DEFINITIONS.

Subpart 1. **Scope.** The definitions in this part apply to ~~parts 9050.0010 to 9050.0900~~ chapter 9050.

[For text of subps 2 to 72, see M.R.]

Subp. 73. **Medical director.** “Medical director” means a physician licensed under *Minnesota Statutes*, chapter 147, and employed by or under contract to the board who is responsible for overall direction of medical practice in a facility ~~and for liaison with independent physicians at the facility~~ to ensure the appropriateness of the medical services provided to the residents.

[For text of subps 74 to 86, see M.R.]

Subp. 86a. **Ombudsman.** “Ombudsman” has the meaning given it in the Older Americans Act of 1965, United States Code, title 42, section 3027(a)(12), and *Minnesota Statutes*, section 256.974.

[For text of subps 87 to 120, see M.R.]

### **9050.1000 RESIDENT CARE PLANNING.**

An individual care plan must be developed, implemented, and maintained for each Minnesota veterans homes facility resident according to Department of Health and United States Department of Veterans Affairs nursing and domiciliary care regulatory standards.

The care plan must be consistent with the resident’s medical treatment plan, as defined in part 9050.0040, subpart 74. The care plan must be developed by a multidisciplinary care plan team, as defined in part 9050.0040, subparts 58 and 80, based on an assessment of the resident’s functioning, attitudes, behavior, and medical condition for use in integrating care and identifying service needs.

Residents may be involved in their individual care plans according to part 9050.1070, subpart 4.

The resident’s care plan must be used by the facility staff involved in the resident’s care, and reviewed and updated according to the regulatory standards of nursing and domiciliary care or when there is a significant change in the resident’s condition. For the purposes of this part, “significant change in a resident’s condition” means a new problem or a measurable improvement or worsening of an existing problem or condition.

### **9050.1030 RESIDENT CARE SERVICES.**

Subpart 1. General. Care services provided to residents of Minnesota veterans homes must be consistent with the overall goals and obligations of each facility as expressed in statute, the homes’ mission statements, and rules governing the board-operated facilities, and must be consistent with available funding and limited if the service is not reimbursable by public or private resources according to *Minnesota Statutes*, section 144.651, subdivision 6.

Care services are provided according to Department of Health licensure regulations and the certification requirements of the United States Department of Veterans Affairs. Laws pertaining to resident care services include chapter 4655; *Minnesota Statutes*, chapters 144 and 144A; and United States Department of Veterans Affairs Code M-1, part 1, chapter 3.

Resident care services must be authorized by the Minnesota Veterans Homes Board of Directors.

Services that are veteran-exclusive through the United States Department of Veterans Affairs are not available to nonveteran residents according to part 9050.0510, subpart 2.

A resident, resident’s guardian, legal representative, family member, conservator, or other person designated by the resident must be informed in writing by the admission staff of each board-operated facility or the resident’s social worker, before or at the time of admission and when changes occur, of services that are included in the facility’s basic per diem and of other services that may be available at additional charges.

The facility staff shall assist residents in obtaining information and making application for possible benefits or programs to which the residents are entitled according to parts 9050.0770 and 9050.0800, subpart 2, item G, and *Minnesota Statutes*, section 144.651, subdivision 17.

Subp. 2. Nursing services. Primary care nursing services for each Minnesota veterans home resident are the responsibility of the nursing staff.

Nursing care services provided to residents in nursing care units must be according to part 9050.0040, subpart 83, and United States Department of Veterans Affairs standards.

Domiciliary care services provided to domiciliary residents must be according to parts 4655.0100, subpart 3, and 9050.0040, subpart 16, and United States Department of Veterans Affairs standards.

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**Subp. 3. Dietary services.** At each board-operated facility, an adequately equipped kitchen must be maintained and qualified facility staff must be employed to supply the necessary food requirements of the residents. Dietary services provided to residents must be according to parts 4655.8500 to 4655.8800 and United States Department of Veterans Affairs Code M-1, part 1, chapter 3.

A qualified dietician, as defined in part 9050.0040, subpart 34, or dietary supervisor if qualified, must be employed or contracted with to supervise the food service department of each facility. A qualified dietary supervisor is a person trained or experienced in the planning and preparation of meals as stated in part 4655.8510. The dietary staff shall prepare therapeutic diets as ordered by the resident's attending physician, according to federal and state standards and established recommended daily allowances.

A dietician shall ensure that nutritional care plans are developed according to each resident's nutritional needs and that an individual diet card is maintained for each resident.

**Subp. 4. Recreational therapy.** At each board-operated facility, a recreational therapy program must be provided according to part 4655.5200 and United States Department of Veterans Affairs Code M-1, part 1, chapter 3. Recreational therapy programs must be appropriate to the needs and interests of residents to maximize individual residents' physical and psychosocial levels.

Adequate equipment, space, and supplies for recreational therapy programs must be provided at each facility.

A resident's recreation plan must be integrated into the resident's care plan and documentation of recreational therapy provided must be maintained in the resident's chart.

A qualified staff member responsible for the recreational therapy program shall meet at least the minimum qualifications in part 4655.5200, subpart 5.

**Subp. 5. Social work services.** On-site social work services must be provided to residents of each board-operated facility by qualified social workers to meet the psychosocial needs of individual residents.

The provision of social services must be documented in the resident's chart. Documentation must include a social services assessment or plan and quarterly progress reports on each resident in the facility according to United States Department of Veterans Affairs Code M-1, part 1, chapter 3.

**Subp. 6. Housekeeping services.** Housekeeping services must be maintained at each board-operated facility to ensure a clean, sanitary, and safe physical environment for residents according to parts 4655.9000 to 4655.9070. The facility must be kept free from offensive odors, dust, rubbish, and safety hazards. An example of a safety hazard would be the accumulation of combustible material or waste in unassigned areas.

**Subp. 7. Medical director.** Each board-operated facility must have a medical director according to part 9050.0040, subpart 73, and United States Department of Veterans Affairs Code M-1, part 1, chapter 3.

**Subp. 8. Attending physician.** Each resident must be assigned an attending physician who is responsible for overall medical care of the resident. A resident may choose a private attending physician at the resident's own expense if the physician agrees to comply with regulatory standards governing the home. Regulatory standards include parts 4655.4600 and 4655.4700 and United States Department of Veterans Affairs Code M-1, part 1, chapter 3.

The attending physician shall prescribe a planned regimen of resident care based on a medical evaluation of the resident's immediate and long-term needs. The attending physician must be identified on the resident's medical chart.

The attending physician shall make arrangements for the medical care of the resident in the event of an on-site emergency or a planned absence by the attending physician.

**Subp. 9. Chaplain services.** Spiritual care must be provided by a chaplain to residents of each board-operated facility according to part 4655.5300 and United States Department of Veterans Affairs Code M-1, part 1, chapter 3.

Adequate space must be provided for chaplain services and private space provided for a resident to meet with clergy of the resident's choice.

**Subp. 10. Mental health services.** Mental health services must be made available to residents who meet admission and continued stay criteria as specified in part 9050.0070, subparts 3 and 4, at each board-operated facility either on-site or through other means such as contract services, sharing agreements, or other arrangements according to United States Department of Veterans Affairs Code M-1, part 1, chapter 3.

A resident must be offered mental health services on request by the resident, or as determined by members of the resident's individual care plan team, which may include a staff psychologist, staff psychiatrist, or chemical dependency counselor.

These services must include, but are not limited to, assessment, diagnosis, supportive counseling or self-help groups for residents presenting behavioral problems, psychiatric disorders, and chemical dependency or chemical abuse disorders. These services must be provided through disciplines such as psychology, psychiatry, and chemical dependency.

Documentation of mental health services provided to a resident must be maintained in the resident's chart.

Subp. 11. Dental care services. Dental care must be made available for residents of each board-operated facility according to part 4655.4800 and United States Department of Veterans Affairs Code M-1, part 1, chapter 3.

Each facility must have a written agreement with a licensed dentist or dentists to provide emergency dental care when necessary.

Dental care for residents consists of, but is not limited to, cleaning of teeth by the dentist or dental hygienist, an examination of the resident's teeth and mouth by the dentist, taking of necessary X-rays as determined by the dentist, proper fitting of dentures, repair of dentures, and treatment of abnormalities caused by dentures as determined by the dentist.

Documentation of dental care provided must be maintained in the resident's chart.

Subp. 12. Podiatric care services. Podiatric care must be made available at each board-operated facility to residents through a podiatrist or physician, with the approval of the resident's attending physician, according to United States Department of Veterans Affairs Code M-1, part 1, chapter 3.

Documentation of podiatric care provided must be maintained in the resident's chart.

Subp. 13. Optometric care services. Optometric care must be made available to residents of each board-operated facility according to United States Department of Veterans Affairs Code M-1, part 1, chapter 3.

Consultation or treatment with the optometrist must be on written order of the resident's attending physician. For residents needing replacement of refractory lenses, the nursing department may request a resident's appointment with the optometrist.

Documentation of optometric care provided must be maintained in the resident's chart.

Subp. 14. Chiropractic care services. Chiropractic care must be made available to residents of each board-operated facility according to Minnesota Statutes, section 198.065. Treatment by a chiropractor must be on written order of the resident's attending physician.

Documentation of chiropractic care provided must be maintained in the resident's chart.

Subp. 15. Diagnostic services. Diagnostic services must be made available to residents of each board-operated facility on written order of the resident's attending physician according to United States Department of Veterans Affairs Code M-1, part 1, chapter 3. Payments for diagnostic services are determined according to part 9050.0510.

Examples of diagnostic services include, but are not limited to, X-rays and laboratory work, such as blood tests.

Documentation of diagnostic care provided must be maintained in the resident's chart.

Subp. 16. Pharmaceutical services. Pharmaceutical services must be made available through a licensed pharmacist by each board-operated facility to meet the needs of residents according to parts 4655.7790 to 4655.7860 and United States Department of Veterans Affairs Code M-1, part 1, chapter 3. A licensed pharmacist is defined in part 9050.0040, subpart 92.

Documentation of pharmaceutical services provided must be maintained in the resident's chart.

Subp. 17. Specialized rehabilitation services. Specialized rehabilitation services such as physical therapy, occupational therapy, and speech therapy must be provided to residents to improve and maintain maximum functioning according to Minnesota Statutes, section 148.65, and United States Department of Veterans Affairs Code M-1, part 1, chapter 3.

Documentation of specialized rehabilitation services must be maintained in the resident's chart.

Subp. 18. Maintenance. Maintenance services must be maintained at each board-operated facility to ensure that the physical plant is kept in a continuous state of good repair and operation with regard to the health, comfort, safety, and well-being of residents and others according to chapter 4660 and United States Department of Veterans Affairs Code M-1, part 1, chapter 3.

Subp. 19. Transportation. A means of transportation to and from approved medical providers must be provided by each board-operated facility according to United States Department of Veterans Affairs Code M-1, part 1, chapter 3, if the providers are located within the areas regularly serviced by the transportation staff of the facility.

An approved medical provider is a medical facility with a written transfer agreement for acute care services or Minnesota veterans homes contract services.

#### **9050.1070 RESIDENT RIGHTS AND RESPONSIBILITIES.**

Subpart 1. Scope. Residents of each board-operated facility are guaranteed all rights expressed in Minnesota Statutes, section

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144.651. Residents also have the right to exercise freedom of expression and assembly as guaranteed by the United States Constitution, Amendment I, the Minnesota Constitution, and Minnesota Statutes, section 198.32.

Residents shall cooperate with facility rules as specified in this chapter.

Subp. 2. Information about rights. On admission, a resident, resident's guardian, legal representative, family member, conservator, or other person designated by the resident must be informed of and given a copy of the Patient's and Resident's Bill of Rights expressed in Minnesota Statutes, section 144.651. If changes occur in the Patient's and Resident's Bill of Rights during the resident's stay at the board-operated facility, a resident, resident's guardian, legal representative, family member, conservator, or other person designated by the resident must be informed of and given a copy of the changes.

The Patient's and Resident's Bill of Rights must be posted in a conspicuous place in each board-operated facility.

Subp. 3. Resident care. Residents have the right to appropriate and regular medical and personal care based on individual needs to promote continuity of care by facility staff and other persons providing health care services according to Minnesota Statutes, section 144.651. "Appropriate care" means care designed to enable residents to achieve their highest level of physical and mental functioning. Residents must be treated courteously and with respect.

Competent residents have the right to refuse treatment according to Minnesota Statutes, section 144.651, subdivision 12. Residents who refuse treatment, medication, or dietary restrictions must be informed of the likely medical or major psychological results of the refusal, with documentation in the resident's medical record. If a resident is incapable of understanding the circumstances but has not been adjudicated incompetent, or if legal requirements limit the right to refuse treatment, the conditions and circumstances must be fully documented by the attending physician in the resident's medical record.

A resident whose care needs cannot be met according to part 9050.0070, subparts 3 and 4, must be denied continued stay subject to the appeals procedures in part 9050.0220.

Resident care must meet the standards of the Vulnerable Adults Protection Act found in Minnesota Statutes, section 626.557.

Subp. 4. Resident care plan participation. Residents have the right to participate in care planning and implementation of the care plan according to Minnesota Statutes, section 144.651, subdivision 10, unless medically contraindicated. Medical contraindication must be documented by the attending physician in the resident's chart.

Subp. 5. Resident handbook. On admission, a resident must be given a resident handbook. The handbook must be reviewed by social services staff or nursing staff with the resident or the resident's representative.

After reviewing the handbook, the resident or resident's representative must sign a statement indicating that the resident or representative received a copy of the handbook and reviewed the handbook. This statement must be kept with the resident's admission agreement.

The resident handbook must contain:

- A. general information about the facility and resident care;
- B. rules and regulations of the facility;
- C. services available at the facility;
- D. Patient's and Resident's Bill of Rights found in Minnesota Statutes, section 144.651; and
- E. grievance procedures.

If changes occur concerning the information in the resident handbook, a resident must be informed of and given a copy of the changes. The resident or resident's representative must sign a statement indicating that the resident or representative received a copy of the changes.

Subp. 6. Resident councils. Residents may organize, maintain, and participate in a resident advisory council with elected officers to express feelings and thoughts about the facility, facility policies, and resident care issues according to Minnesota Statutes, sections 144.651, subdivision 27, and 144A.33, and United States Department of Veterans Affairs Code M-1, part 1, chapter 3.

Space for resident council meetings must be provided at each board-operated facility. Staff or visitors may only attend resident council meetings at the council's invitation.

The administrator shall designate a staff person, with approval of the resident council, to assist the council and respond to written requests that result from council meetings.

Minutes of resident council meetings must be kept and made available to residents and other persons as the resident council determines. Minutes of resident council meetings must also be made available to the Department of Health and the United States Department of Veterans Affairs to show that resident council meetings are being held at each facility.

The designated staff person or other appropriate staff persons shall inform the resident council of:

- A. resident rights and responsibilities;
- B. resident council organization and maintenance;
- C. laws and rules that apply to the facility and residents;
- D. resident care in the facility;
- E. human relations; and
- F. resident self-help methods to increase quality of care and quality of life at the facility.

Subp. 7. Family councils. Each board-operated facility shall have a family council that gives members an opportunity to express feelings and thoughts about the facility and facility conditions, resident care, rules and the effect of rules, policies, and procedures according to Minnesota Statutes, sections 144.651, subdivision 20, and 144A.33.

The facility shall support and encourage development of and participation in family councils and shall provide a private meeting place and necessary administrative support through a staff liaison appointed by the administrator and approved by the council. Attendance at family council meetings of individuals other than family council members must be at council invitation only.

Minutes of family council meetings must be kept and made available to family council members and other persons as the family council determines. Minutes must also be made available to the Department of Health to show that family council meetings are being held at each facility.

Subp. 8. Legal assistance for residents. Residents have the right of reasonable access to outside advocacy and legal services according to Minnesota Statutes, section 144.651, subdivision 30. On a resident's request, a designated staff person shall instruct and assist that resident in obtaining advocacy and legal assistance.

The opportunity for private communication between the resident and the resident's representative must be provided at the board-operated facility.

Subp. 9. Resident grievances and complaints. A resident may voice grievances and complaints and recommend changes in rules, policies, and services of the board-operated facility without retaliation according to Minnesota Statutes, sections 198.32, 144.651, subdivision 20, and 144A.13, and United States Department of Veterans Affairs Code M-1, part 1, chapter 3.

On admission, each resident must be informed in writing of the right to complain. A notice of the right to complain must be posted in a conspicuous place in each board-operated facility.

Residents may complain through the facility grievance and complaint procedures. A resident may also voice grievances to the administrator, the board, the commissioner of veterans affairs, the commissioner of health, facility staff, other residents, the family council, or outside representatives of the resident's choice.

The grievance procedure at each board-operated facility must include the following:

- A. a list of internal resources for use by the resident, such as the resident council or a grievance committee, and a list of community resources available to the resident;
- B. resident access to use of facility-approved forms for written grievances;
- C. the time limits for decisions to be made by the facility;
- D. an offer of assistance by social services staff, at the resident's request, in development and process of the grievance;
- E. a written response to each resident filing a formal grievance; and
- F. a statement that the resident making a complaint or grievance is free from retaliation, including freedom from restraint, interference, coercion, discrimination, and reprisals.

Subp. 10. Restraints. A resident has the right to be free from physical and chemical restraints imposed for purposes of discipline or convenience and not required to treat the resident's medical condition according to part 4655.6600.

Chemical and physical restraints may be imposed on a resident only on written order of a physician that specifies the duration and circumstances under which the restraints are to be used, except in emergency circumstances when administrative nursing staff takes temporary emergency measures until an order can reasonably be obtained. If the resident's behavior poses a significant threat of harm to self or others, the resident may be discharged or transferred to an appropriate care facility.

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Locked restraints must not be used on residents. Doors to resident rooms must not be locked in a manner that would prevent immediate opening in case of an emergency.

Use of restraints must be recorded in the resident's record. The record must include a description of the precipitating behavior, the expected behavioral outcome, the actual behavioral outcome, an assessment of the need for continued use of the restraint, and the duration of use of the restraint.

Subp. 11. Right to associate; visitors. A resident may meet with or refuse to meet with visitors and participate in activities of commercial, religious, political, and community groups without interference, unless the activities infringe on the rights of other residents. This subpart complies with Minnesota Statutes, section 144.651, subdivisions 21 and 26.

Residents may receive visitors during visiting hours and, on request and availability, be provided privacy for visits during visiting hours. Visiting hours must be established by the facility administrator and be posted in plain view. Visitors to each board-operated facility must follow facility rules.

Residents may receive private visits at any time from the resident's personal physician, religious advisor, or attorney. Residents diagnosed as critically ill may have visits from relatives, guardians, conservators, legal representatives, and persons designated by the resident at any time according to part 4655.1910.

Subp. 12. Identity of physician and outside service providers. In accordance with Minnesota Statutes, section 144.651, subdivision 7, facility staff shall give a resident, in writing, the name, business address, telephone number, and specialty of the physician responsible for coordination of the resident's care.

Residents receiving services from approved outside providers must be given, on request from the resident or resident's guardian, written information about the identity of the provider, including the name of the outside provider, address, telephone number, specialty of the physician, and a description of the service to be given.

Subp. 13. Personal and treatment privacy. A resident has a right to respect for the resident's privacy, individuality, and cultural identity as related to the resident's social, religious, and psychological well-being.

Privacy must be respected by other residents, staff, volunteers, and visitors. Individuals must knock on the door of a resident's room and obtain the resident's consent before entering, except in an emergency or when clearly inadvisable.

A resident has the right to privacy for the resident's medical and personal care program. Privacy must be respected during toileting, bathing, and other personal hygiene activities, except as needed for resident safety or assistance. Documentation of assistance given to or needed by a resident in personal hygiene activities must be maintained in the resident's chart.

Subp. 14. Married residents. Married residents have a right to privacy for spousal visits according to Minnesota Statutes, section 144.651, subdivision 28. If both spouses are residents of the facility, the couple must be permitted to share a room unless medically contraindicated and documented by the attending physicians in the medical records.

Subp. 15. Privacy of resident records. A resident has a right to confidential treatment of personal and medical records and may approve or refuse release of the records to any individual outside the board-operated facility.

Medical records must be made available to persons at the board-operated facility who are responsible for the direct care of the resident. All information contained in the resident's records must be handled in a manner consistent with chapter 4655 and the Government Data Practices Act under Minnesota Statutes, chapter 13 and section 144.651, subdivision 16.

Written consent of the resident or the resident's guardian or conservator is required for the release of information concerning the resident to persons not otherwise authorized to receive it. Written consent of the resident must be handled in a manner consistent with Minnesota Statutes, section 13.04, subdivision 2.

Information to be released is limited to the items or information specified in the consent form.

Written consent for release of information need not be given when:

A. consent may be implied from circumstances in which a reasonable person would believe the resident would have consented had the resident been able to consent;

B. information released does not identify the individual resident;

C. information is to be used within the facility for routine or other legitimate purposes such as evaluation, education, research, or financial audits; or

D. release is mandated by statute, regulation, or court order.

Subp. 16. Resident access to records. On request, a resident must be given access to personal, financial, and medical records concerning the resident as provided under Minnesota Statutes, sections 13.04 and 144.335, and Code of Federal Regulations, title 42, part 2, section 2.23.

The facility staff shall supply to a resident complete and current information concerning diagnosis and treatment of the resident in

terms and language the resident can reasonably be expected to understand. If it is medically inadvisable that the information be given to the resident, as documented by the attending physician in the resident's medical record, the information may be given to the resident's guardian, representative, or appropriate third party as specified in Minnesota Statutes, section 144.335, subdivision 2. The resident, guardian, or appropriate third party must be shown the data without any charge.

On a resident's written request, facility staff shall furnish to the resident copies of the resident's records within five days, excluding Saturdays, Sundays, and legal holidays. With the consent of the resident, a summary of the record may be furnished instead. A reasonable fee related to the costs of copying may be requested.

If facility staff is unable to comply with a resident's request for information within five days, excluding Saturdays, Sundays, and legal holidays, staff shall inform the resident and may have an additional five days within which to comply with the resident's request, excluding Saturdays, Sundays, and legal holidays. If records are required in fewer than five days, facility staff shall make all reasonable efforts to comply with the request.

Subp. 17. Mail. Residents have the right to send and receive mail without interference according to Minnesota Statutes, section 144.651, subdivision 21. A resident with a legal guardian or conservator shall have mail handled according to written instructions from the guardian or conservator according to part 4655.1910, subpart 5. On request by the resident, the resident shall be given a written or oral statement regarding any restrictions on the resident's mail.

Subp. 18. Telephone access and use. Residents must have access to a pay telephone, at a convenient location within the board-operated facility, where residents can make and receive calls. There must be at least one non-coin-operated telephone accessible at all times in case of an emergency according to part 4655.1910, subpart 4. "Emergency" has the meaning given in part 9050.0040, subpart 39.

For residents who need to speak privately, reasonable arrangements must be made by facility staff to accommodate the privacy of the resident's calls.

If restrictions on telephone access are medically advisable, the restrictions must be documented by the attending physician in the resident's medical record according to Minnesota Statutes, section 144.651, subdivision 21.

Subp. 19. Resident vehicles. Residents may keep one passenger vehicle, motorcycle, or motorized bicycle on the grounds of the board-operated facility in which the resident resides. "Passenger vehicle" means a passenger automobile as defined in Minnesota Statutes, section 168.011, subdivision 7; a pickup truck as defined in Minnesota Statutes, section 168.011, subdivision 29; or a van as defined in Minnesota Statutes, section 168.011, subdivision 28. "Motorcycle" has the meaning given in Minnesota Statutes, section 168.011, subdivision 26. "Motorized bicycle" has the meaning given in Minnesota Statutes, section 168.011, subdivision 27.

A resident who wants to maintain a vehicle on the grounds of the facility shall register the make, model, color, year, and license number of the vehicle with the transportation service of the facility. The resident shall comply with applicable state statutes, including Minnesota Statutes, chapter 169, regarding payment of taxes, registration of vehicles, and safety standards; Minnesota Statutes, chapter 171, regarding operators' licenses and driving privileges; Minnesota Statutes, chapter 65B, regarding insurance coverage; and relevant rules.

Resident vehicles must be parked in designated parking areas with properly displayed facility identification decals.

A resident vehicle that is an abandoned vehicle as defined in Minnesota Statutes, section 168B.02, subdivision 2, must be handled in a manner consistent with Minnesota Statutes, chapter 168B.

Subp. 20. Pets. The administrator at each board-operated facility, after consultation with facility staff and residents, shall determine whether pets, such as dogs and cats, will be allowed in the facility and whether individual residents will be permitted to keep the pets.

If pets are allowed in the facility, the requirements in items A to C, in accordance with part 4638.0200, must be met.

A. The facility staff, in consultation with a veterinarian and physician, shall develop and implement written policies and procedures describing the types of pets allowed and the procedures for maintaining and monitoring the health and behavior of the pets, and identify areas in the facility where pets are not permitted. Pets are not permitted in kitchen areas, medication storage and administration areas, or clean or sterile supply storage areas. Guide dogs accompanying a blind or deaf individual are permitted at each board-operated facility.

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## Proposed Rules

B. A staff person, as designated in writing by the facility administrator, shall be responsible for monitoring or providing for the care, cleanliness, and maintenance of the pets, including fish. Residents or other individuals may also provide pet care.

C. The facility staff shall ensure that pets, including fish, do not jeopardize the health, safety, comfort, treatment, or well-being of residents or others, and shall assume overall responsibility for pets in the facility.

Pets or animals brought to the facility for visits must be preapproved by facility recreation staff and comply with this subpart.

Subp. 21. Resident work programs. A resident may take part in a resident work program on approval of the resident's attending physician or as recommended by the resident's attending physician and the resident's care team as part of the individual treatment or care plan.

The labor or services that the resident performs must be for therapeutic purposes and appropriately goal-related in the resident's care plan according to *Minnesota Statutes*, section 144.651, subdivision 23.

The labor performed by the resident must be other than labor of a housekeeping nature with respect to the resident's own living area and the resident must be compensated appropriately and in compliance with Minnesota law and the Federal Fair Labor Standards Act.

Earnings derived from participating in a resident work program while the resident is living at the home may not be considered a means of support according to part 9050.0700, subpart 3, item A, and *Minnesota Statutes*, section 198.03.

Subp. 22. Resident funds. Resident funds must be handled according to parts 4655.1910, subpart 6; 4655.4100 to 4655.4170; and *Minnesota Statutes*, sections 144.651, subdivision 25; and 198.265, and be in compliance with items A to D.

A. A competent resident may manage personal financial affairs, or must be given at least a quarterly accounting of financial transactions on the resident's behalf if the resident delegates the responsibility to the facility for any period of time according to law.

B. Residents may keep money in a personal fund account at the board-operated facility, as defined in part 9050.0040, subpart 90, and according to *Minnesota Statutes*, section 198.265, or in fund accounts off facility premises.

Resident fund accounts at the facility are solely for the resident's use, and the facility cashier shall retain sufficient liquid funds to satisfy normal demand withdrawal requests of residents and other anticipated needs. Resident fund accounts must not draw interest directly to residents, but the interest must be used by the board only for the direct benefit of the residents of the homes. Before depositing money in a fund account at the facility, a resident must sign an agreement that the resident is willing to have money in an account that does not draw interest directly to the resident.

Restrictions placed on a resident's personal funds by the resident, resident's guardian, or person responsible for the resident's fund account must be documented in the resident's treatment plan.

C. The cashier at the facility shall have regular posted hours during which residents may deposit or withdraw funds. The cashier shall give a receipt to persons depositing funds and ensure that withdrawal forms are signed when funds are withdrawn.

D. Unclaimed account balances at the facility must be disposed of according to *Minnesota Statutes*, sections 198.23 and 198.231.

Subp. 23. Laundry service. Boarding care residents must have access to laundry facilities in the domiciliary units for the laundering of personal clothing. The administration of each facility may determine and post hours for use of the laundry facilities.

Each resident must be provided clean linens weekly, or as needed, according to parts 4655.8000 and 4655.8300. Boarding care residents may choose to launder their own linens.

Laundry services consisting of laundering of linens and personal clothing must be provided to nursing care residents.

Subp. 24. Resident clothing. Each resident must have a supply of personal clothing relative to individual needs. The administrator at each board-operated facility shall determine the standards for marking the resident's clothing for laundering and identification purposes.

A resident or resident's representative is responsible for the condition of the resident's personal clothing and should contact the facility for assistance in maintenance of clothing.

Subp. 25. Resident hygiene. Residents shall maintain a reasonable state of body and oral hygiene based on the resident's physical and mental capabilities. Each resident shall receive nursing care or personal and custodial care and supervision based on individual needs according to parts 4655.6400 and 4655.6800.

Subp. 26. Room cleanliness and conditions. Residents shall maintain personal rooms and personal items in a manner consistent with the safety, sanitary, and health regulations required by the Department of Health, United States Department of Veterans Affairs, state fire marshal, and other regulatory agencies.

Candles, oil lamps, or other items identified as flammable or hazardous by the state fire marshal are not allowed in resident rooms.

Floors in resident rooms must be clear of boxes, luggage, debris, and other materials to prevent congestion and health and safety hazards.

Residents may have electrical personal grooming items, clocks, audio and visual equipment, and approved portable fans as space and electrical capacity of the resident's room permits. Other electrical items may be permitted on written approval of administration or on written order of the resident's attending physician, and must be documented in the resident's medical record.

Items such as unapproved extension cords, hot plates, coffee makers, and electrical food appliances are prohibited in resident rooms.

Subp. 27. Resident facility keys. Each resident issued a personal room key or a key to locked spaces within the room shall return those keys to the facility on transfer or discharge. The resident may be charged the cost of replacing any lost keys.

Subp. 28. Resident and facility property. A resident may not damage another resident's property or the facility's property. A resident may be held financially responsible for property damaged or destroyed by the resident.

Subp. 29. Resident's personal property. In accordance with Minnesota Statutes, section 144.651, subdivision 22, a resident may retain personal possessions in the resident's personal living area as space permits, unless to do so would infringe on rights of other residents, or unless contraindicated for documented medical or safety reasons.

Personal property of deceased residents must be handled according to Minnesota Statutes, section 198.23. Personal property of discharged residents must be handled according to Minnesota Statutes, section 198.231.

Subp. 30. Storage of resident's property. Storage of a resident's property must be handled in compliance with items A to C.

A. The administration of each board-operated facility may determine an assigned amount of storage space for a resident needing storage space for personal property outside of the resident's personal living area. Particular kinds of personal property may be excluded from the facility for reasons of space limitations or safety.

Facility staff shall maintain an updated, itemized inventory of each resident's property in storage, including the resident's name and signature, guardian's signature, date of the inventory, a detailed listing of the resident's property, and the storage location. The list must be kept in a separate location, with one copy kept with the inventoried property and one copy given to the resident.

Residents must have access to storage areas during hours that are determined by administration and must be accompanied by the facility staff member who is in charge of storage, or that person's designee. The hours for access to storage areas must be posted in one or more conspicuous places in each of the board-operated facilities.

Cash may not be placed into storage.

Secure and temporary storage of a resident's possessions may be provided during a resident's emergency absence from the facility or on a specific request to the nursing staff from a resident leaving the facility on a personal absence.

The facility shall not accept resident possessions that cannot be accommodated in the facility storage areas.

B. A central, locked depository or locked storage area over which the facility has responsibility, in which residents may store valuables for safekeeping, must be provided at each board-operated facility.

Facility staff shall maintain an updated, itemized inventory of each resident's valuables in storage, including the resident's name and signature, guardian's signature, date of the inventory, a detailed listing of the resident's property, and the storage location. The list must be kept in a separate location, with one copy kept with the inventoried property and one copy given to the resident.

C. The facility may provide compensation for or replacement of lost or stolen items according to Minnesota Statutes, section 144.651, subdivision 22, if the loss was caused by the facility's negligence, as required under Minnesota Statutes, section 3.732.

Subp. 31. Smoking. The administrator of each board-operated facility shall designate smoking and nonsmoking areas according to chapter 4620 and Minnesota Statutes, sections 144.411 to 144.417. Residents may smoke in designated smoking areas only.

Smoking in resident rooms is prohibited, except that a bedridden resident may smoke with direct assistance from a staff person and only under written orders of the resident's attending physician. The orders must be documented in the resident's care plan.

Subp. 32. Leaving the facility campus. Residents shall notify administration or direct care staff before leaving the facility campus. The resident shall indicate to the appropriate staff member when the resident is leaving the facility campus, the expected time of return, and, if possible, the destination and telephone number where the resident can be contacted in case of an emergency. The resident shall notify direct care staff on return to the facility.

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## Proposed Rules

If a resident's departure is likely to cause immediate serious physical harm to the resident or others, reasonable efforts may be made to inform the resident of the likely consequences of the resident's actions or departure.

Subp. 33. Coffee shop and canteen. Depending on space, resources, and available funds, a coffee shop with posted hours may be provided at each board-operated facility. A canteen with posted hours where persons may purchase personal care items may also be provided.

Where canteens and coffee shops are operated by the facility, profits derived must be used only for the direct benefit of the residents of the homes according to Minnesota Statutes, section 198.261.

Subp. 34. Alcoholic beverages. The sale, distribution, consumption, and possession of alcoholic beverages are not allowed on the campuses of the Minnesota veterans homes or during facility-sponsored events according to Minnesota Statutes, section 198.33, except when consumption is prescribed by the resident's attending physician and documented in the resident's chart. An alcoholic beverage is a beverage containing any amount of alcohol.

Subp. 35. Room inspections. A resident room is subject to routine inspections by facility staff for compliance with safety, sanitation, health, and facility rules and regulations.

Subp. 36. Searches of resident rooms. Residents have the right to a legitimate expectation of privacy in their persons and property against unreasonable searches and seizures. A search of a resident's room or property must be conducted when necessary to protect the residents or others from contraband or other articles that are potentially injurious to residents, staff, volunteers, and visitors. All procedures of the search must be according to Minnesota Statutes, section 198.33, subdivision 1.

Subp. 37. Contraband. A resident may not possess contraband items at the facility campus. Contraband includes all illegal articles, firearms, weapons, ammunition, alcoholic beverages, nonprescribed prescription drugs, including narcotics and controlled substances.

Contraband is subject to seizure according to Minnesota Statutes, section 198.33, and must be disposed of according to applicable laws. A receipt must be given to the resident and the information must be documented in the resident's chart.

Subp. 38. Double beds. Double beds are not allowed in resident rooms at the Minnesota veterans homes.

Subp. 39. Photographs, voice recordings, or videotapes. Informed written consent is required before a resident may be photographed, voice recorded, or videotaped. Consent is not needed for identification photographs of the resident that are kept in the resident's chart at the board-operated facility.

## Adopted Rules

The adoption of a rule becomes effective after the requirements of Minn. Stat. §14.14-14.28 have been met and five working days after the rule is published in *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

An emergency rule becomes effective five working days after the approval of the Attorney General as specified in Minn. Stat. §14.33 and upon the approval of the Revisor of Statutes as specified in §14.36. Notice of approval by the Attorney General will be published as soon as practicable, and the adopted emergency rule will be published in the manner provided for adopted rules under §14.18.

## Housing Finance Agency

### Adopted Permanent Rules Relating to Rent Assistance for Family Stabilization Demonstration Program

The rules proposed and published at *State Register*, Volume 16, Number 10, pages 474-478, September 3, 1991 (16 SR 474), are adopted as proposed.

## Technical Colleges Board

### Adopted Permanent Rules Relating to President's License

The rules proposed and published at *State Register*, Volume 16, Number 9, pages 438-440, August 26, 1991 (16 SR 438), are adopted as proposed.

# Official Notices

Pursuant to the provisions of Minnesota Statutes § 14.10, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

The *State Register* also publishes other official notices of state agencies, notices of meetings, and matters of public interest.

## Comprehensive Health Association

### Notice of Meeting of the Executive Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association (MCHA), Executive Committee will be held at 3:30 p.m. on Tuesday, December 10, 1991 at Northwestern National Life Insurance Company, 100 Washington Avenue South, Minneapolis, Minnesota, in Mississippi Room B on the 4th floor.

For additional information please call Lynn Gruber at (612) 593-9609.

## Comprehensive Health Association

### Notice of Meeting of the Communications Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association (MCHA), Communications Committee will be held at 8:30 a.m. on Tuesday, December 17, 1991 at Minnesota Comprehensive Health Association, 5775 Wayzata Boulevard, Suite 910, St. Louis Park, Minnesota.

For additional information please call Lynn Gruber at (612) 593-9609.

## Department of Human Services

### Board on Aging

### Notice of Public Review and Comment on Program Development and Coordination Funding

NOTICE IS HEREBY GIVEN that written comments will be accepted until December 13, 1991, on Program Development and Coordination Funding proposals to the Minnesota Board on Aging from Area Agencies on Aging. In accordance with Federal Regulations (45CFR 1321, 17(f)14) the Board on Aging may allow for transfer of Title III-B Older Americans Act (supportive services) dollars into the Area Plan Administrative account to be used for Program Development and Coordination Activities that will have a direct and positive impact on the enhancement of services for older persons. The state is required to submit the details of proposals to pay for Program Development and Coordination as a cost of supportive services to the general public for review and comment.

The chart below indicates the amount and percentage of III-B funds reserved for use in funding Program Development and Coordination Activities for the 14 Planning and Service Areas. Copies of each individual proposal are available by calling the Minnesota Board on Aging at 612-296-2770.

#### III-B Supportive Services

<u>Region</u>	<u>Title III-B Allocation</u>	<u>Program Development Amount</u>	<u>(Reserved) Percentage</u>
1	151,489	37,872	25.00%
2	121,162	30,291	25.00%
3	337,953	99,494	29.44%
4	251,176	73,098	29.10%
5	199,982	19,935	9.97%
6E	149,988	25,915	17.28%
6W	118,460	22,000	18.57%

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**III-B Supportive Services**

<u>Region</u>	<u>Title III-B Allocation</u>	<u>Program Development Amount</u>	<u>(Reserved) Percentage</u>
7E	136,776	18,070	13.21%
7W	187,671	49,535	26.39%
8	191,124	37,672	19.71%
9	241,418	59,800	24.77%
10	364,976	32,000	8.77%
11	1,200,458	234,997	19.58%
12	71,898	0	0.00%
<b>TOTALS</b>	<b>3,724,531</b>	<b>740,679</b>	<b>19.89%</b>

Minnesota Board on Aging  
444 Lafayette Road, St. Paul, MN 55155-3843

Final action by the Board on Aging will take place on December 13, 1991.

**Department of Human Services****Additions, Changes and Deletions to Notice of Health Services Requiring Prior Authorization for MA/GAMC**

The Following Are Additions, Changes and Deletions to the List of Services Requiring Prior Authorization Which Was Published in the April 2, 1990 *State Register*, Vol. 14, #40, Pages 2365-2377. The Newly Added Codes Will Require Prior Authorization for Services Provided on or after January 1, 1992.

**Occupational therapy**

The following occupational therapy services require prior authorization.

- X4510 Occupational therapy evaluations/reevaluations that exceed 1½ hours per calendar year.
- X4511 Unlisted occupational therapy requires prior authorization.
- X4520 Occupational therapy group sessions require prior authorization.
- X5510 Occupational therapy consultations that exceed more than one hour per calendar year.
- X5511 Occupational therapy supplies that exceed more than \$30 per calendar year.

Any combination of the following codes that exceed 50 hours per year.

- X4515 Occupational therapy motor skills
- X4517 Occupational therapy sensory integrative skills
- X4522 Occupational therapy cognitive skills
- X4524 Occupational therapy preventive skills
- X4526 Occupational therapy therapeutic adaptations
- 97540 Activities of Daily Living
- 97541 Activities of Daily Living, additional 15 minutes

**Physical therapy**

- X4521 Physical therapy group sessions require prior authorization.
- X4600 Physical therapy evaluation/reevaluations that exceed two per calendar year.

Any combination of the following codes that exceeds 30 hours per calendar year:

- 97110 Therapeutic exercises
- 97112 Neuromuscular reeducation
- 97114 Functional activities

- 97116 Gait training
- 97118 Electrical stimulation
- 97120 Iontophoresis
- 97122 Traction, manual
- 97124 Massage
- 97126 Contrast baths
- 97128 Ultrasound
- 97145 Additional 15 min of 97110-97128
- 97220 Hubbard tank initial 30 minutes
- 97221 Hubbard tank, additional 15 minutes
- 97240 Pool therapy, initial 30 minutes
- 97241 Pool therapy, additional 15 minutes
- 97500 Orthotics training, initial 30 minutes
- 97501 Orthotics training, additional 15 minutes
- 97520 Prosthetics training initial 30 minutes
- 97521 Prosthetics training additional 15 minutes
- 97530 Kinetic activities initial 30 minutes
- 97531 Kinetic activities additional 15 minutes
- 97700 Office visit for orthotics, prosthetics or ADL checkout
- 97701 Office visit, for orthotics, prosthetics or ADL checkout, additional 15 minutes
- 90900 Biofeedback, initial 30 minutes

Any combination of the following modalities that exceed 30 per calendar year:

- 97010 Hot or cold packs
- 97012 Traction
- 97014 Electric stimulation
- 97016 Vasopneumatic devices
- 97018 Paraffin bath
- 97020 Microwave
- 97022 Whirlpool
- 97024 Diathermy
- 97026 Infrared
- 97028 Ultraviolet

More than one of the following tests per calendar year require prior authorization.

- 97720 Extremity testing, initial 30 minutes
- 97721 Extremity testing, additional 15 minutes

Any combination of the following codes that exceed two per calendar year require prior authorization:

- 95831 Muscle testing, manual extremity
- 95832 Hand
- 95833 Total evaluation of body w/out hands
- 95834 Total evaluation of body w/ hands

Either of the following codes that exceed two per calendar year:

- 97752 Muscle testing w/ torque curves during isometric & isokinetic exercise
- 95842 Muscle testing

## Official Notices

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Any combination of the following that exceed 12 per calendar year:

- 95851 Range of Motion measurements
- 95852 Range of Motion measurements—hand with comparison to normal side.

The following codes always require prior authorization:

- 97799 Unlisted physical therapy service
- 97139 Unlisted procedure
- 97039 Unlisted modality

### Speech-language pathology

The following codes require prior authorization:

- X4612 Extended consultations that exceed two per calendar year must be prior authorized.
- X4614 Construction, programming or adaptation of an augmentative communication devices that exceeds four hours per calendar year
- V5321 Assessments for oral or laryngeal prosthesis or artificial larynx that exceed one per calendar year.
- V5322 Assessments for augmentative communication device that exceed one per calendar year.
- V5335 Repairs of an artificial larynx must be prior authorized.
- V5336 Repairs of augmentative communication device that exceeds four hours per calendar year
- V5360 Unlisted speech-language service requires prior authorization.
- V5362 Speech screenings that exceeds once per calendar year.
- V5363 Language screenings that exceeds once per calendar year.
- V5364 Dysphagia screenings that exceeds once per calendar year.

Any combination of the following codes that exceed one per calendar year require prior authorization:

- 92506 Medical evaluation of speech
- V5301 Basic assessment
- V5310 Comprehensive assessment

Any combination of the following codes that exceeds 50 hours per calendar year.

- 92507 Individual speech, language and hearing treatment
- 92508 Group speech language or hearing treatment
- X4610 Speech therapeutic services
- X4611 Basic consultation

### Audiology

The following codes require prior authorization:

- V5000 Basic audiological assessments that exceed one per calendar year.
- V5001 Comprehensive audiological assessments that exceed one per calendar year.
- V5002 Assessments of vestibular or audiological function that exceed one per calendar
- V5003 Assessments of vestibular/audiological function that exceed two per calendar year.
- V5008 Hearing screenings that exceed one per calendar year.
- V5011 Hearing aid checks that exceed four per calendar year
- V5014 Hearing aid repairs that exceed \$50 or one per calendar year.
- V5016 Unlisted audiologic procedure must be prior authorized.
- 92506 Audiology evaluation/reevaluations that exceed two per calendar year.
- 92507 Individual hearing therapy that exceeds five sessions per calendar year.
- 92599 Unlisted otorhinolaryngologic service must be prior authorized.

Any combination of the following codes that exceeds one per calendar year.

- 92590 Monaural hearing aid exam & selection
- 92591 Binaural hearing aid exam & selection
- V5010 Assessment for hearing aid
- 92594 Electroacoustic evaluation for monaural hearing aid
- 92595 Electroacoustic evaluation for binaural hearing aid
- 92596 Ear protector attenuation measurements

Any combination of the following codes that exceed two per calendar year.

- X4611 Basic Consultation
- X4612 Extended Consultation

## **State Board of Investment**

### **Meetings of Executive Council/State Board of Investment/Land Exchange Board and Investment Advisory Council**

The Executive Council, State Board of Investment and the Land Exchange Board will meet on Wednesday, December 18, 1991 at 8:30 a.m. in Room 125, State Capitol, Saint Paul, MN.

The Investment Advisory Council will meet on Tuesday, December 17, 1991 at 2:00 p.m. in Room 125, State Capitol, Saint Paul, MN.

## **Pollution Control Agency**

### **Air Quality Division**

#### **Meeting on Proposed Recommendations to Minnesota State Legislature**

In 1991, the Minnesota State Legislature directed the Minnesota Pollution Control Agency (MPCA) to make recommendations on the use, recapture and recycling of Chlorofluorocarbons (CFC):

“The Pollution Control Agency shall by January 1, 1992, make recommendations to the legislature on methods for the use, recapture, and recycling of CFCs and appropriate training provisions for persons engaged in the installation or repair of refrigeration equipment and systems that use CFC refrigerants. The agency shall consult with contractors and representatives of recommendations.”

Pursuant to the legislative directive to the MPCA, the MPCA is proposing to make the following recommendations to the Minnesota Legislature:

1. Change the statutory definition of CFCs to be consistent with the definition in the Clean Air Act Amendments.
2. Increase the complement of the MPCA by two full time equivalents to work on outreach efforts and enforcement of the CFC laws.
3. MPCA intends to adopt the federal rules governing recycling of CFCs after they are officially promulgated. This would occur through an MPCA rulemaking action in which the federal rules would be adopted by reference.

A meeting will be held on Wednesday, December 18, in the MPCA offices at 520 Lafayette Road in St. Paul to discuss these proposed recommendations. The meeting will be held in the sixth floor conference rooms beginning at 8:30 a.m. and is open to the public.

Questions about this meeting may be directed to:

Gregory Pratt  
Minnesota Pollution Control Agency  
Air Quality Division  
520 Lafayette Road North  
St. Paul, Minnesota 55155  
612/296-7664

## Department of Public Safety

### Emergency Response Commission

#### Meeting Notice and Preliminary Agenda

1. Approval of minutes of previous meeting
2. Old Business
3. Introduction of new agenda items
4. Committee Reports
  - a. Reporting and Public Requests
  - b. Emergency Planning
  - c. Legislative
  - d. Education and Training
5. Open-New Business

Meeting dates at a site to be determined are:

January 9, 1992

February 13, 1992

March 12, 1992

April 9, 1992

May 14, 1992

June 11, 1992

All meetings will be held at 9:30 a.m. Contact the Commission for additional information (612) 643-3000.

## State Board of Technical Colleges

### Notice of Intent to Solicit Outside Opinion Regarding Proposed Rules Governing the Rules for Licensure of Postsecondary Technical Education Personnel.

**NOTICE IS HEREBY GIVEN** that the State Board of Technical Colleges is seeking information or opinions from sources outside the agency in preparing to amend Chapter Thirty-Five: Rules for Licensure of Vocational Technical Education Personnel and specifically in Part-Time Licensure, Military Experience, Aquaculture, Small Business Management, Preparation for Small Business Ownership, Consumer Education, Human Development Studies, Surface Finishing and Plating Technician. The adoption of these rules is authorized by *Minnesota Statutes* 136C.04, subd. 9. and 125.185 subd. 4.

The State Board of Technical Colleges requests information and comments concerning the subject matter of these rules. Interested or affected persons may submit written statements of information or comment orally. Written comments should be addressed to:

Mr. M. Robert Babcock  
State Board of Technical Colleges  
314 Capitol Square Bldg.  
550 Cedar Street  
St. Paul, MN 55101  
(612) 296-1867

Ms. Georgia Pomroy  
State Board of Technical Colleges  
322 Capitol Square Bldg.  
550 Cedar Street  
St. Paul, MN 55101  
(612) 297-2204

Oral statements will be received during regular business hours over the telephone at (612) 296-0680 or in person at the above address.

All statements of information and comments shall be accepted until 4:30 p.m. Friday, January 17, 1992. Any written material received by the State Board of Technical Colleges shall become part of the record to be submitted to the Attorney General or Administrative Law Judge in the event the rule is adopted.

Helen Henrie, Deputy Chancellor  
State Board of Technical Colleges

## Department of Trade and Economic Development

### Business Development and Analysis Division

#### Notice of Job Skills Partnership Board 1992 Grant Application Deadline Dates and Meeting Dates

The Minnesota Job Skills Partnership Board solicits grant proposals from educational and other non-profit organizations for training programs designed for specific businesses.

If desired, project ideas may be submitted in the form of a 2-page prospectus prior to the submission of a full proposal. Prospectus contents should include names of participating institution(s) and business(es), nature and length of project, number of prospective trainees, and an estimate of Partnership funds to be requested.

Please contact the Partnership office at (612) 296-0388 for details regarding grant applications.

Following are the grant application deadline dates and Board meeting dates for 1992:

Deadline Dates for

New Grant Applications

January 21, 1992

May 18, 1992

July 20, 1992

October 19, 1992

MJSP Board Meeting Dates

February 18, 1992

June 15, 1992

August 17, 1992

November 16, 1992

(Annual Meeting)

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## State Grants

In addition to requests by state agencies for technical/professional services (published in the State Contracts section), the *State Register* also publishes notices about grant funds available through any agency or branch of state government. Although some grant programs specifically require printing in a statewide publication such as the *State Register*, there is no requirement for publication in the *State Register* itself.

Agencies are encouraged to publish grant notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

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## Office of Waste Management

### Notice of Request for Proposals for Recyclable Materials Market Development Grant and Loan Program

The Minnesota Office of Waste Management (OWM) is a state agency established by the Minnesota Legislature to provide financial and technical assistance to industry and local governments to encourage the proper management of solid and hazardous waste. The OWM's Recycling Market Development program works to create remanufacturing and other end markets for recyclable materials, and to encourage the purchase of products and packaging containing recycled content.

The Recyclable Materials Market Development Grant and Loan Program was established by the Minnesota Legislature, *Minnesota Statutes* § 115A.48 (1990), and the legislature directed the OWM to make grants and loans for recyclable material market development. The OWM has promulgated rules to administer this grant and loan program. *Minnesota Rules* parts 9210.0600 to 9210.0645 establish three different kinds of grants and loan programs: (1) County Grants and Loans, (2) Directed Research and Feasibility Study Grants, and (3) Private Sector Capital Loans. Through this program, the OWM intends to provide grants and loans for recycling market development activities that have broad application in the state, that have potential for significant expansion of remanufacturing capacity for recyclable materials, and that increase demand for products made of recycled materials.

This notice is issued by the Director of the OWM (Director) pursuant to the requirements of *Minnesota Rules* parts 9210.0600 to 9210.0645. **The purpose of this notice is to solicit proposals for projects that meet the objectives for awarding (1) County Grants and Loans, and (2) Directed Research and Feasibility Study Grants.**

The County Grant and Loan Program is intended to support county efforts to develop markets for recyclable materials. Counties must be the applicants for these funds. Counties that have submitted plans under *Minnesota Statutes*, Section 115A.551, Subd. 6 (1990) as amendments to their approved comprehensive solid waste management plans are eligible applicants. An eligible county may

## State Grants

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apply for grant funds for a capital project on behalf of itself, a group of counties, or a non-profit entity. An eligible county may apply for grant funds for a project that does not involve capital costs on behalf of itself, a group of counties, a non-profit entity, or a for-profit entity. An eligible county may apply for loan funds for a capital project on behalf of a for-profit entity. The county will be a named recipient of the grant or loan award and is required to be a signator to the grant or loan agreement, but is not required to assume any liability for execution of the project unless the county is a participant in implementing the project.

For the County Grant and Loan Program, the type of project determines the eligibility for grant or loan funding. Grants may be awarded for up to 25 percent of the capital costs of projects to be undertaken by counties or nonprofit entities, not to exceed \$50,000 per project. Grants may be awarded for up to 75 percent of the first two years of project costs for projects not involving capital investment to be undertaken by counties, nonprofit entities, or for-profit entities, not to exceed \$50,000 per project. Loans may be awarded for up to 50 percent of the capital costs of projects to be undertaken by for-profit entities, not to exceed \$150,000 per project.

Eligible county grant and loan projects include: creation or expansion of local remanufacturing capacity, development of highly-value-added processes that significantly improve the price and marketability of materials, development of cooperative programs for marketing recyclable materials or purchasing recycled products, development and implementation of methods to cost-effectively transport recyclables to market, and implementation of practices to purchase recycled products.

The Directed Research and Feasibility Study Grant Program is intended to encourage and assist research institutions and private organizations with projects that support regional, state, or county market development efforts. Grants of up to \$100,000 are available for the cost of labor and supplies necessary to implement a project. Capital costs are not eligible for funding. A research institution may receive a grant for up to 100 percent, and a private organization for up to 50 percent, of eligible project costs. Eligible projects include: feasibility studies for the development of remanufacturing capacity that uses recyclable materials as a feedstock; the development of performance data on recycled products; and directed research on products that could be manufactured using recyclable materials.

The OWM has identified five categories of recyclable materials as state priorities for market development efforts in Minnesota this fiscal year. Although projects involving other recyclable materials are eligible for funding, projects focused on the priority materials are most likely to be awarded grants and loans. In alphabetical order, these priority materials are:

- Glass: including containers, plate glass, and fiberglass.
- Paper: especially mixed paper and lower grades.
- Plastic: including post-consumer resins and commercial/industrial film/other plastics.
- Problem Materials Containing Toxics: including household batteries, especially nickel-cadmium and zinc air; motor oil and filters; fluorescent and incandescent lights; and petroleum-based construction/demolition materials such as shingles, asphalt, and some insulation waste.
- Problem Materials Without Toxics: including oversize/bulky/construction materials such as carpet, lumber/pallets, drywall, concrete, furniture, and mattresses; and binding materials such as magnetic tape, wire/cable, and hose/tubing.

Tires are the lowest priority for the Recyclable Materials Market Development Grant and Loan Program because funding specifically for tire market development is available through the Minnesota Pollution Control Agency.

The OWM has identified the following examples of the types of new projects important to market development efforts in Minnesota.

- Innovative efforts by counties or businesses to dramatically increase the quantities or types of products purchased with recycled content. Cooperative efforts are especially encouraged.
- Alternative, local end-markets for container or plate glass that require minimal processing, and may or may not involve remanufacturing of the material.
- Projects to create, or research the feasibility of creating, remanufacturing capacity for lower grades of paper.
- Projects to expand remanufacturing capacity for use of post-consumer plastic resins or industrial/commercial film and other plastics in new end-products.
- Projects researching potential recycling processes or the feasibility of developing remanufacturing capacity for household batteries, especially nickel-cadmium and zinc air; fluorescent/incandescent lights; or motor oil/filters.
- Projects researching potential products or remanufacturing processes for petroleum-based construction/demolition materials.
- Alternative, local end-markets for products remanufactured from oversize/bulky/construction/binding materials that do not contain toxics.

Other types of projects that meet the criteria for the market development grant and loan program also are eligible to receive funding, and the OWM encourages submission of these proposals. Projects involving incineration, resource recovery, or Municipal Solid Waste composting are not eligible for funding.

Copies of the Requests for Proposals, including the applicable rules, are available by contacting:

Minnesota Office of Waste Management  
1350 Energy Lane  
St. Paul, MN 55108  
(612) 649-5750 or 1-800-652-9747 (toll-free in Minnesota)

For technical assistance on developing proposals contact:

- Chris Cloutier (glass) at 612-649-5493.
- Laura Millberg (recycled products; fluorescents/incandescents; bulky/oversize/C&D/binding materials) at 612-649-5762.
- Tim Nolan (plastics) at 612-649-5766.
- Kevin O'Donnell (paper; industrial wood waste; batteries; oil) at 612-649-5785.

Proposals must be received by the OWM at the above address by 5:00 p.m. CST on Friday, February 7, 1992, in order to be considered for the award of a grant or loan.

## Office of Waste Management

### Notice of Request for Proposals for Source Reduction Financial Assistance Programs

The Minnesota Office of Waste Management (OWM) is a state agency established by the Minnesota Legislature to provide financial and technical assistance to industry and local governments to encourage the proper management of hazardous and solid waste. In the area of solid waste, the OWM's objective is to minimize land disposal of solid waste through the promotion of waste reduction, recycling, and resource recovery.

This notice is issued by the Director of the OWM (Director) under authority provided in *Minnesota Rules* parts 9210.0700 to 9210.0770. Under this authority, the OWM established the following Source Reduction Financial Assistance Programs: 1) Public Institution Grant Program, 2) Feasibility Study Grant Program, and 3) Implementation Loan Program. Under these programs, the OWM intends to provide grants and loans to public and private organizations for source reduction activities that have broad application in the state, and that have potential for significant reduction in the amount of solid waste generated.

Source reduction activities include the following: 1) procuring, producing, or using products or packaging with a longer useful life; 2) procuring, producing, or using products or packaging with reduced material content; or 3) changing waste generation practices to result in less generation of solid waste. Projects that study or implement composting or recycling are not eligible projects.

**The purpose of this notice is to solicit proposals for projects that meet the objectives under these grant and loan programs.**

The Public Institution Grant Program intends to encourage and assist public entities—including state, county, and local agencies; school districts, universities, and hospitals; and solid waste management districts—in the development and implementation of source reduction projects. Public Institution Grant projects may receive grants equal to 75 percent of eligible project costs—with the exception of only 50 percent of the costs of purchasing and installing equipment—or \$50,000, whichever is less. This program will not provide funds for the costs of operating and maintaining equipment, or of purchasing or renting real property.

The Feasibility Study Grant Program intends to encourage and assist private organizations, for-profit and not-for-profit, in projects that study the technical and economic feasibility of source reduction activities. Feasibility Grant projects may receive grants equal to 50 percent of eligible project costs or \$50,000, whichever is less.

The Implementation Loan Program intends to encourage and assist private organizations, for-profit and not-for-profit, in implementing source reduction activities. Implementation Loan projects may receive low interest loans equal to 50 percent of eligible project costs or \$50,000, whichever is less.

The OWM has \$500,000 available for grants and loans. Copies of Requests for Proposals, including the rules applicable to each program, are available by contacting:

Thomas Osdoba  
Minnesota Office of Waste Management  
1350 Energy Lane  
St. Paul, MN 55108  
(612) 649-5773 or 1-800-652-9747 (toll-free in Minnesota)

Proposals meeting the requirements of *Minnesota Rules* parts 9210.0700 to 9210.0770 must be received by the OWM at the above address by 4:30 p.m., CST, Friday, February 14, 1992.

# Professional, Technical & Consulting Contracts

Department of Administration procedures require that notice of any consultant services contract or professional and technical services contract which has an estimated cost of over \$10,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: name of contact person, agency name and address, description of project and tasks, cost estimate, and final submission date of completed contract proposal. Certain quasi-state agencies are exempted from some of the provisions of this statute.

## Department of Health

### Public Health Laboratory Division

#### Request for Statements of Interest for Environmental Laboratory Services Contract

The Department of Health anticipates the need to enter into one or more contracts with Minnesota certified environmental laboratories registered to do business in the state, to perform tests on water samples to meet federal and state Safe Drinking Water Act requirements. Samples requiring testing could be ready starting July 1, 1992.

A laboratory which responds to this announcement must be certified by the Department of Health to perform the tests for which the laboratory expresses interest, must be able to perform tests in accordance with all applicable EPA methodology including quality control and quality assurance procedures, and agree to participate in at least 2 proficiency testing challenges each year for the tests performed under the contract. Samples could be picked up at or would be shipped from the Department. The workload could be scheduled to produce a relatively even number of samples each month over the term of the contract.

The Department could contract out analyses in the following classes, up to the number of samples listed.

<u>Regulated Analyte</u>	<u>Number of samples per year</u>
nitrate	6,000
nitrite	2,000
fluoride	3,000
metals	
lead and copper	13,500
barium, cadmium, chromium, mercury, selenium	200
arsenic and sodium	800
sulfate	400
cyanide	400
metals (antimony, beryllium, nickel, thallium)	400

Laboratories should submit, by January 15, 1992, a letter indicating their interest in performing all or a portion of the analyses in those classes for which they have capability. All correspondence relating to this notice should be addressed to Allen Tupy, Chief, Laboratory Support Services Section, Minnesota Department of Health, 717 Delaware Ave. S.E., Minneapolis, MN 55440

This solicitation is for the purpose of assessing the interest of potential contract laboratories and does not obligate the Department to proceed with purchasing the services described herein.

## Historical Society

### Notice of Request for Proposals for Architectural and Engineering Services

The Minnesota Historical Society is seeking proposals from qualified firms to provide architectural and engineering services for the design and construction of a new Mille Lacs Indian Museum and Cultural Center located adjacent to Mille Lacs Band of Ojibwe Indian land near Onamia, MN. The request for proposals is made through the formal Request For Proposals document which is available from Gary W. Goldsmith, Contracting Officer, 690 Cedar Street, St. Paul, MN 55101. Telephone (612) 296-2155.

The project which is the subject of the Request for Proposals will include full architectural and engineering services related to the design and construction of a new museum building and the restoration of a historic trading post and associated buildings. The construction and restoration budget is expected to be approximately five million dollars.

The deadline for receipt of proposals is 2:00 p.m. January 3, 1992.

## The Legislative Commission on Minnesota Resources (LCMR)

### 1993 Request for Proposals (Biennium ending June 1995)

The LCMR will be accepting proposals for projects designed to help maintain and enhance Minnesota's natural resources.

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## Professional, Technical & Consulting Contracts

The Request for Proposals (RFP) is for new, innovative or accelerative natural resource projects in the areas of: agriculture, energy, forestry, information/education, land, minerals, recreation, waste, water, wildlife/fisheries/plants.

Proposers are asked to respond to the priority strategies for funding. Proposals will be evaluated according to the priority strategies and criteria.

*Deadline for Submission:* **Received or postmarked no later than: 4:30 p.m., February 7, 1992**

*Submit to:* Legislative Commission on Minnesota Resources  
65 State Office Building  
100 Constitution Avenue  
St. Paul, MN 55155  
(612) 296-2406

### PROPOSALS SENT BY FACSIMILE (FAX) WILL NOT BE ACCEPTED

Only proposals received by the deadline in the proper format specified in this RFP will qualify for consideration.

*Number of Copies to Submit:* Three (3) copies of proposal. One copy of resume of project manager (two page limit).

*Eligibility:* Application open to all. The LCMR is an equal opportunity employer and is committed to conducting its activities without regard to race, color, religion, sex, age or national origin.

*Project Implementation:* Two year duration—July 1993 to June 1995

*Total amount available:* \$29 million (estimated as of Dec. 1, 1991)

### FUNDING SOURCES

- Minnesota Future Resources Fund (MS 116P.13) estimated amount available \$15 million.
- Minnesota Environment and Natural Resource Trust Fund (Trust Fund) (MS 116.08) estimated amount available \$13 million.
- Oil Overcharge Money (MS 4.071) estimated amount available \$1 million.

## Metropolitan Council

### Request for Proposals for Regional Affordable Housing Clearinghouse

The Metropolitan Council is requesting proposals from qualified, experienced contractors to develop and operate an affordable housing clearinghouse (hot-line) for the seven-county Twin Cities Metropolitan Area to link vulnerable populations, such as single parent families, low income households and persons with physical, mental and developmental disabilities with affordable rental units and handicapped accessible units. Approximately \$50,000 will be available during the 12 month period to develop and operate the hot-line.

A Request for Proposals for this project may be obtained by contacting Carol Berens at 612-291-6447. An informational meeting for prospective proposers will be held on December 17, 1991, 10:00 a.m. in room 4B at the Council offices, 230 East Fifth Street, St. Paul.

Proposals will be accepted by the Council until 4:30 p.m., December 31, 1991. This request does not obligate the Council. The Council reserves the right to cancel the solicitation.

All proposals should be addressed to: Metropolitan Council, Mears Park Centre, 230 East Fifth Street, St. Paul, MN 55101, ATTN: John E. Post.

## Office of Waste Management

### Request for Proposals for Pollution Prevention Research Awards

#### I. Program Background

The Minnesota Office of Waste Management (OWM) is a state agency that provides technical and financial assistance to industry to encourage the reduction of toxic, hazardous and industrial waste. The OWM offers contracts for assessing the feasibility of specific pollution prevention techniques. Pollution prevention means reducing or eliminating at the source the use, generation, or release of toxic pollutants, hazardous substances, hazardous wastes or industrial wastes.

The OWM catalogues, develops and disseminates various pollution prevention techniques. These techniques may include:

- Product or process modification,

## Professional, Technical & Consulting Contracts

- Feedstock substitutions,
- New or improved equipment,
- Inventory control measures, or
- Improved housekeeping practices.

Pollution prevention **does not include** end-of-the-pipe treatment methods such as incineration and dewatering, nor does it include off-site recycling.

### II. Purpose of this Request for Proposals

The primary goal of this award program is to identify pollution prevention techniques for targeted waste streams, to identify barriers to implementing these techniques, to identify strategies to overcome the barriers, and to encourage the development of innovative approaches to pollution prevention. This program will also help the OWM develop and target future pollution prevention programs such as grants, training, fact sheets, technical assistance, and research. **The information gained through funded projects will be considered public information and will be shared with other interested parties in Minnesota.**

### III. Key Dates

January 17, 1992	Proposals due at the OWM.
January, 1992	Proposals reviewed by the OWM and its advisory councils.
February, 1992	Proposals selected by director for funding.
March 1, 1992	Work begun by contractors on selected proposals.
April 15, 1992 (approximate)	Interim progress reports due.
June 1, 1992	Final reports due to the OWM.

### IV. Eligible Applicants

Eligible applicants are individuals, consultants, trade associations, educational institutions, corporations, firms and other organizations who can demonstrate their technical qualifications and ability to perform the required study. An applicant need not be a generator or user of hazardous materials, hazardous wastes, or toxic emissions.

### V. Outline of Project Scope

The objective of this program is to provide the OWM with a benchmark on the state of the art in pollution prevention for selected industry processes, emissions, and wastes. The following outline can be used as a guide by applicants in writing the proposals and performing work under the awards:

- A. Identify the Specific Subject Area (See Section VI for a description)

### B. Identify Needs and Options

1. Summarize the current problem (e.g., sources of emissions or wastes generated, scope of problem)
2. Assess the potential for existing pollution prevention approaches
  - a. Identify existing options
  - b. Estimate extent of implementation by Minnesota industry
  - c. Identify barriers to further implementation (e.g., economic, technical, institutional, regulatory)
  - d. Assess overall opportunity for existing options
  - e. Propose strategies to overcome barriers (e.g., training, reference manuals, fact sheets, further research)
3. Assess the need and potential for new pollution prevention technologies and methods
  - a. Determine the need for the development of new technologies and methods
  - b. Propose new technologies and methods
  - c. Assess advantages and disadvantages of each proposal
  - d. Propose strategies (e.g., further research) to investigate or promote new technologies and methods

### C. Methods to address the above issues

1. Literature search
2. Surveys, focus groups, and interviews with Minnesota industry
3. Plant tours/observations in Minnesota
4. Resources from various state technical assistance programs (TAP's)
5. Other potential resources or methods identified by the applicant

### D. Principal work products

1. An interim progress report summarizing the work performed and the findings to date, due halfway through the project. (Precise date to be specified in the workplan.)
2. A final report summarizing the findings of the work described above and the methods used, due June 1, 1992.

## VI. Eligible Areas of Research

Only the following subject areas are eligible under this program.

- Alternatives to the use of cyanide-based solutions in electroplating.
- Reductions in the use of fast evaporating solvents for cleaning and flushing of painting and coating equipment.
- Alternatives to the use of halogenated cleaners/cleaning processes in the commercial printing industry.
- Alternatives to the use of acetone and methylene chloride in the fiberglass reinforced plastic industry.
- Techniques for the separation of isopropanol/water mixtures in cleaning and drying processes in electronics manufacturing.
- Reductions in the use of ammonia refrigeration in the food process industry.
- Alternatives to fluoboric acid solder plating in the circuit board industry.
- Alternatives to the use of halogenated solvents in printed circuit board cleaning and drying.
- Alternatives to the use of halogenated solvents for degreasing in the fabricated metal industry.
- Techniques for the separation of moisture from solvents used in the dry cleaning industry.

All applicants are free to submit proposals for as many or as few of the individual research areas as desired; however you must submit a separate proposal detailing your specific related experience and preliminary workplan for each subject area proposed. The OWM will award a maximum of one contract per subject area for an amount not to exceed \$30,000 per contract. Proposers are encouraged to submit proposals for less than the maximum award amount. There is a maximum total amount of \$200,000 available for this program.

## VII. Detailed Project Proposal

Contracts will be awarded to applicants whose projects and qualifications best meet the evaluation criteria described in Section VIII. In order to evaluate projects, detailed information is necessary as outlined below. Proposals missing any of the sections will be deemed incomplete.

# Professional, Technical & Consulting Contracts

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## Section A: General Information

Provide the following information on a separate page of the proposal:

- Name(s) of the project manager and any other technical staff to be assigned to the project.
- Full address and phone number of the applicant.
- Name of company, trade association, institution or private individual to be contracted to perform the proposed work, and any subcontractor or cooperating organization.
- A statement of the industrial process area selected from the list in Section VI for this proposal.

## Section B: Qualifications of Project Personnel

Describe the applicant's qualifications and experience working in the eligible subject area, in implementing pollution prevention and waste reduction, and in conducting needs assessments or technical feasibility studies. Include the professional training and experience of the staff working on the project. Resumes should be included. Identify the tasks for which each of the project personnel will be responsible.

## Section C: Detailed Project Description

Describe the proposed workplan in detail, including a discussion of how information will be gathered and analyzed, how new approaches or recommendations will be generated, and what specific information resources will be used. Write the workplan as a series of clearly defined, detailed tasks. **Each proposal must include a specific description of how information from the applicable Minnesota industries will be gathered.**

## Section D: Implementation Schedule

List the key tasks required for the successful execution of the project, and identify a schedule for their completion. Include in this schedule deadlines for an interim progress report and a final report to be submitted to the OWM. The schedule can be described in terms of number of weeks from start date; or a start date of March 1, 1992 can be assumed and a schedule can be estimated from that date. The final report is due to the OWM on June 1, 1992. A more detailed workplan will be developed as part of the contract after the awards have been made.

## Section E: Proposed Budget

Create a table, as shown in Example 1, illustrating the estimated costs of performing the work described in Section 3. Itemized costs should include, but not be limited to, those categories listed below and should be broken down by specific task number. Contract amounts will be awarded on the basis of these estimates, and **will not be increased during the length of the contract.** The maximum amount of funding by the state is \$30,000 per project. **Any cost overruns incurred during the project shall be the sole responsibility of the applicant.** Figures should be expressed in whole dollars and reflect all estimated costs known for performing the project. Eligible costs include the following:

- **Labor costs.** Labor costs include the hourly rates of each of the individuals working on the project along with the number of hours each will work on the project. This includes all billable hours.
- **Travel costs.** Travel costs are limited to plant trips and other site visits directly related to the project.
- **Laboratory analyses.** These costs may include any and all testing to quantify the results of the project or to assess existing pollution prevention or waste reduction techniques.
- **Administrative costs.** Other eligible costs include copying, literature, postage, meeting room rental, leased computer time, telephone charges and other miscellaneous expenses directly applicable to the project (please specify in as much detail as possible).

## Professional, Technical & Consulting Contracts

**Example 1: Sample Budget Table**

Cost Item	Rate \$/hr	Task 1 (hrs.)	Task 2 (hrs.)	Task 3 (hrs.)	Total (hrs.)	Total (\$)
<b>Staff</b>						
Investigator 1 (name)	40	280	120	80	480	19,200
Investigator 2 (name)	30	140	60	40	240	7,200
Investigator 3 (name)	20	20	----	40	60	1,200
Clerical	15	18	8	16	42	630
<b>Other Expenses (\$)</b>						
Travel	----	\$1000	\$200	----	----	1,200
Meeting Room Rental	----	\$400	----	----	----	400
Postage	----	\$35	\$20	----	----	55
Telephone	----	\$40	----	----	----	40
Reference Materials	----	\$75	----	----	----	75
<b>Total (\$)</b>	----	17,620	6,940	5,440	830	30,000

## Professional, Technical & Consulting Contracts

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The State of Minnesota will pay the award on a monthly basis. The contractor must submit an itemized bill each month of the project to the OWM for services rendered plus reimbursement of related and approved costs. All project work (including final report) must be completed to the satisfaction of the OWM staff by June 30, 1992. Failure to complete the required work in a timely and satisfactory manner will result in forfeiture of some or all of the awarded funds.

### VIII. Submittal Information

*The deadline for submittal of completed applications to the Office of Waste Management is 4:30 p.m. on Friday, January 17, 1992.* Submit one copy, suitable for photocopying, and five bound copies of the completed proposal to:

Minnesota Office of Waste Management  
1350 Energy Lane  
St. Paul, MN 55108  
Attention: Pollution Prevention Research Awards

If you need more information or have questions concerning the development of your proposal, please call Diane Amell at (612) 649-5495 (Minnesota toll free 1-800-652-9747, ask for the Office of Waste Management). Ms. Amell is the only person authorized to answer questions regarding this request for proposals.

### IX. Proposal Evaluation Criteria

Proposals will be evaluated by the following criteria:

- A. The likelihood that the project will generate accurate, detailed information on the targeted industry/waste stream/process;
- B. The applicant's managerial and technical qualifications;
- C. The applicant's specific knowledge and experience in the targeted process and industry;
- D. The variety and types of resources and methodologies that the proposer plans to use in the development of the project;
- E. The applicant's specific knowledge and experience in Minnesota industry;
- F. The degree of direct Minnesota industry involvement;
- G. The readability, clarity and originality of the proposal; and
- H. The total cost of the proposed project as compared to the amount and quality of the proposed work.

The director of the OWM shall award contracts to those projects that the director determines best meet the evaluation criteria described above. Contract awards are tentatively scheduled to be announced in February, 1992. No more than one contract will be awarded in a specific subject area, and the OWM reserves the right not to award a contract in a particular subject area. The OWM also reserves the right not to make any awards.

The OWM and the successful applicants will enter into contracts which set forth specific conditions governing the administration of the contract. The contract will establish a workplan and schedule which the applicant will be required to complete, along with the reporting requirements on the progress and final results of the project.

### X. Future Contract and Grant Opportunities

The OWM may use the results from this research to help in targeting facets of the state pollution prevention program. Among the possible uses for the recommended strategies from these projects would be future requests for proposals to perform needed research or testing, to focus future funding rounds of the Pollution Prevention Grant Program, or to develop specific pollution prevention materials and/or programming.

## Department of Transportation

### Notice to Consulting Engineers—Registered Civil and Structural

The Minnesota Department of Transportation (Mn/DOT) anticipates retaining Bridge Design Consultants to design and prepare construction plans for a limited number of bridges of average complexity during 1992.

Applicants must have an office in Minnesota staffed to handle the work and must have recent experience in the production of bridge plans for the State Highway System, the County State Aid Highway System, or equivalent.

Applicants shall identify personnel who will conduct the work and detail their training and experience; summarize Computer Aided Drafting and Design (CADD) experience and qualifications; and list the bridge analysis and design programs used by the firm.

Applicants shall indicate if your firm is:

- A. Certified by the Department of Human Rights for Affirmative Action as follows:

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## State Contracts and Advertised Bids

In accordance with the provisions of *Minnesota Statutes*, 1981 Supplement, Section 363.073; for all contracts estimated to be in excess of \$50,000.00, all responders having more than 20 full-time employees at any time during the previous 12 months must have an affirmative action plan approved by the Commissioner of Human Rights before a proposal may be accepted.

Your proposal will be rejected unless it includes one of the following:

- 1.) A copy of your firm's current certificate of compliance issued by the Commissioner of Human Rights; or
  - 2.) A letter from Human Rights certifying that your firm has a current certificate of compliance; or
  - 3.) A notarized letter certifying that your firm has not had more than 20 full-time employees in Minnesota at any time during the previous 12 months
- B. Certified as a Disadvantaged Business Enterprise (DBE).  
C. Qualified as a Small Business—M. S. 645.445  
D. Qualified as a Small Targeted Business—M. S. 16B.19

All eligible design firms desiring to be considered as design contractors are asked to submit a brochure or resume giving qualifications and experience to:

D. J. Flemming  
State Bridge Engineer  
610D Transportation Building  
395 John Ireland Blvd.  
St. Paul, Minnesota 55155

Brochures and resumes will be received until 12:00 p.m., December 30, 1991. Include your Affirmative Action qualifications with these submittals.

Applicants may be requested to interview at the Transportation Building in St. Paul.

Names of selected firms will be retained on file with Mn/DOT for consideration during 1992.

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## State Contracts and Advertised Bids

Pursuant to the provisions of Minn. Stat. § 14.10, an agency must make reasonable effort to publicize the availability of any services contract or professional and technical services contract which has an estimated cost of over \$2,000.

Commodities contracts with an estimated value of \$15,000 or more are listed under the Materials Management Division, Department of Administration. All bids are open for 7-10 days before bidding deadline. For bid specifics, time lines, and other general information, contact the appropriate buyers whose initials appear in parentheses next to the commodity for bid, by calling (612) 296-6152.

Awards of contracts and advertised bids for commodities and printing, as well as awards of professional, technical and consulting contracts, appear in the midweek STATE REGISTER Contracts Supplement, published every Thursday. Call (612) 296-0931 for subscription information.

### Materials Management Division—Department of Administration:

#### Contracts and Requisitions Open for Bid

Call 296-2600 for information on a specific bid, or to request a specific bid.

#### COMMODITY CODE KEY

<b>A = Sealed Bid</b>	<b>G = \$5,000-\$15,000 Estimated Dollar Value</b>	<b>J = Targeted Vendors Only</b>
<b>B = Write for Price</b>	<b>H = \$15,000-\$50,000 Sealed Bid</b>	<b>K = Local Service Needed</b>
<b>C = Request for Proposal</b>	<b>I = \$50,000 and Over Sealed Bid/Human Rights Compliance Required</b>	<b>L = No Substitute</b>
<b>D = Request for Information</b>		<b>M = Installation Needed</b>
<b>E = \$0-\$1,500 Estimated Dollar Value</b>		<b>N = Pre-Bid Conference</b>
<b>F = \$1,500-\$5,000 Estimated Dollar Value</b>		

## State Contracts and Advertised Bids

**Commodity:** B G-Geneamp PCR system  
**Contact:** Joan Breisler 612-296-9071  
**Bid due date at 4:30pm:** December 13  
**Agency:** Department of Public Safety  
**Deliver to:** St. Paul  
**Requisition #:** B 07300-26484

**Commodity:** B E-Color sensitometer  
**Contact:** Joan Breisler 612-296-9071  
**Bid due date at 4:30pm:** December 11  
**Agency:** Willmar R.T.C.  
**Deliver to:** Willmar  
**Requisition #:** B 55106-02152

**Commodity:** A I M-Copier rental—  
rebid  
**Contact:** Jack Bauer 612-296-2621  
**Bid due date at 2pm:** December 16  
**Agency:** Winona State University  
**Deliver to:** Winona  
**Requisition #:** B 26074-14156-2

**Commodity:** B E-High pressure washer  
pump—rebid  
**Contact:** Mary Jo Bruski 612-296-3772  
**Bid due date at 4:30pm:** December 11  
**Agency:** Minnesota Department of  
Transportation  
**Deliver to:** Golden Valley  
**Requisition #:** B 79500-22509-1

**Commodity:** B E-Digital densitometer  
**Contact:** Joan Breisler 612-296-9071  
**Bid due date at 4:30pm:** December 11  
**Agency:** Willmar R.T.C.  
**Deliver to:** Willmar  
**Requisition #:** B 55106-02151

**Commodity:** B F-Terry cloth—Rebid  
**Contact:** Linda Parkos 612-296-3725  
**Bid due date at 4:30pm:** December 12  
**Agency:** Fergus Falls Regional  
Treatment Center  
**Deliver to:** Fergus Falls  
**Requisition #:** B 55101-02148-1

**Commodity:** B G M-Copier purchase  
**Contact:** Jack Bauer 612-296-2621  
**Bid due date at 4:30pm:** December 13  
**Agency:** Rainy River Community  
College  
**Deliver to:** International Falls  
**Requisition #:** B 27155-55178

**Commodity:** C I-Move of historical  
center  
**Contact:** Joan Breisler 612-296-9071  
**Bid due date at 2pm:** December 23  
**Agency:** Building Construction Division  
**Deliver to:** St. Paul  
**Requisition #:** B 02310-24806

**Commodity:** B F M-Floor finish (anti-  
slip)  
**Contact:** Linda Parkos 612-296-3725  
**Bid due date at 4:30pm:** December 13  
**Agency:** Brainerd Regional Human  
Service Center  
**Deliver to:** Brainerd  
**Requisition #:** B 02310-24811

**Commodity:** B G M-Mobile shelving  
**Contact:** Jack Bauer 612-296-2621  
**Bid due date at 4:30pm:** December 20  
**Agency:** Department of Public Safety  
**Deliver to:** St. Paul  
**Requisition #:** B 07300-26469

**Commodity:** B F M-Facsimile  
**Contact:** Jack Bauer 612-296-2621  
**Bid due date at 4:30pm:** December 12  
**Agency:** Minnesota Department of  
Corrections  
**Deliver to:** St. Paul  
**Requisition #:** B 78000-31998

**Commodity:** B F-Lift truck  
**Contact:** Mary Jo Bruski 612-296-3772  
**Bid due date at 4:30pm:** December 16  
**Agency:** Moorhead State University  
**Deliver to:** Moorhead  
**Requisition #:** B 26072-03535

**Commodity:** B G-Used bus  
**Contact:** Mary Jo Bruski 612-296-3772  
**Bid due date at 4:30pm:** December 16  
**Agency:** Faribault Regional Center  
**Deliver to:** Faribault  
**Requisition #:** B 55303-16321

**Commodity:** B F-Tire chains  
**Contact:** Mary Jo Bruski 612-296-3772  
**Bid due date at 4:30pm:** December 16  
**Agency:** Minnesota Department of  
Transportation  
**Deliver to:** Brainerd  
**Requisition #:** B 79300-09240

**Commodity:** B G-Fertilizer  
**Contact:** Linda Parkos 612-296-3725  
**Bid due date at 4:30pm:** December 13  
**Agency:** Department of Administration  
**Deliver to:** St. Paul  
**Requisition #:** B 02307-24255

**Commodity:** B F-Storage cabinet  
**Contact:** Jack Bauer 612-296-2621  
**Bid due date at 4:30pm:** December 16  
**Agency:** Department of Administration  
**Deliver to:** St. Paul  
**Requisition #:** B 02307-24262

**Commodity:** B F-Ammo reloads  
**Contact:** Jack Bauer 612-296-2621  
**Bid due date at 2pm:** December 16  
**Agency:** Department of Public Safety/  
Finance  
**Deliver to:** St. Paul  
**Requisition #:** B 07500-27105-1

**Commodity:** A H K M-Copier rebid  
**Contact:** Jack Bauer 612-296-2621  
**Bid due date at 2pm:** December 16  
**Agency:** Minnesota Correctional Facility  
**Deliver to:** St. Cloud  
**Requisition #:** B 78830-11076-1

**Commodity:** B F-Water pumps  
centrifugal  
**Contact:** Mary Jo Bruski 612-296-3772  
**Bid due date at 4:30pm:** December 16  
**Agency:** Department of Natural  
Resources—Northern Service Center  
**Deliver to:** Grand Rapids  
**Requisition #:** B 29000-57635

**Commodity:** B E-Portable forced air  
heater  
**Contact:** Mary Jo Bruski 612-296-3772  
**Bid due date at 4:30pm:** December 16  
**Agency:** Willow River Camp  
**Deliver to:** Willow River  
**Requisition #:** B 78890-42022

**Commodity:** B F-Stake body & hoist  
**Contact:** Mary Jo Bruski 612-296-3772  
**Bid due date at 4:30pm:** December 16  
**Agency:** Minnesota Department of  
Transportation  
**Deliver to:** Virginia  
**Requisition #:** B 79382-02337

## State Contracts and Advertised Bids

**Commodity:** Pharmaceuticals—certain items only  
**Contact:** Donald Hanson Jr. 612-297-5619  
**Bid due date at 11:00am:** December 23  
**Agency:** Various  
**Deliver to:** Various  
**Requisition #:** Price contract

**Commodity:** Fuel: heating, #1 and #2 (rebid)  
**Contact:** Dale Meyer 612-296-3773  
**Bid due date at 2pm:** December 17  
**Agency:** Various  
**Deliver to:** Various  
**Requisition #:** Price contract

**Commodity:** B F-Service contract for B.P. units  
**Contact:** Teresa Manzella 612-296-7556  
**Bid due date at 4:30pm:** December 17  
**Agency:** Department of Employee Relations  
**Deliver to:** St. Paul  
**Requisition #:** B 24100-28628

**Commodity:** B G-Dental equipment ADEC/Midwest  
**Contact:** Teresa Manzella 612-296-7556  
**Bid due date at 4:30pm:** December 17  
**Agency:** Minnesota Correctional Facility  
**Deliver to:** Red Wing  
**Requisition #:** B 78760-03060

**Commodity:** B E-Specialty gases  
**Contact:** Joan Breisler 612-296-9071  
**Bid due date at 4:30pm:** December 13  
**Agency:** Minnesota Pollution Control Agency  
**Deliver to:** St. Paul  
**Requisition #:** B 32200-30875

**Commodity:** B G M-Professional timing service for ski races  
**Contact:** Linda Parkos 612-296-3725  
**Bid due date at 4:30pm:** December 13  
**Agency:** I R R & R B  
**Deliver to:** Biwabik  
**Requisition #:** B 43000-60382

**Commodity:** B E K M-Typewriter  
**Contact:** Jack Bauer 612-296-2621  
**Bid due date at 4:30pm:** December 17  
**Agency:** Department of Natural Resources—Regional Headquarters  
**Deliver to:** St. Paul  
**Requisition #:** B 29006-20398

**Commodity:** B F L-Medical training devices  
**Contact:** Teresa Manzella 612-296-7556  
**Bid due date at 4:30pm:** December 13  
**Agency:** Winona State University  
**Deliver to:** Winona  
**Requisition #:** B 26074-14228

**Commodity:** B F-Dental instruments miscellaneous  
**Contact:** Teresa Manzella 612-296-7556  
**Bid due date at 4:30pm:** December 13  
**Agency:** Minnesota Correctional Facility—Faribault  
**Deliver to:** Faribault  
**Requisition #:** B 78790-20421

**Commodity:** B F-Strain gauges  
**Contact:** Joan Breisler 612-296-9071  
**Bid due date at 4:30pm:** December 17  
**Agency:** Minnesota Department of Transportation  
**Deliver to:** Maplewood  
**Requisition #:** B 79050-28121

**Commodity:** B G K M-Postage equipment  
**Contact:** Jack Bauer 612-296-2621  
**Bid due date at 4:30pm:** December 17  
**Agency:** St. Cloud State University  
**Deliver to:** St. Cloud  
**Requisition #:** B 26073-23243

**Commodity:** A H-Skid steer loader  
**Contact:** Mary Jo Bruski 612-296-3772  
**Bid due date at 2pm:** December 13  
**Agency:** Minnesota Veterans Home  
**Deliver to:** Hastings  
**Requisition #:** B 75250-20177

**Commodity:** Moveable adjustable track shelving for Iron Range Research Center, Chisholm, MN  
**Contact:** Jack Bauer 612-296-2621  
**Bid due date at 2pm:** December 16  
**Agency:** Iron Range Resources  
**Deliver to:** Chisholm  
**Requisition #:** Request for Proposal

**Commodity:** Ready mix  
**Contact:** Joan Breisler 612-296-9071  
**Bid due date at 2pm:** December 20  
**Agency:** Department of Transportation  
**Deliver to:** Golden Valley  
**Requisition #:** R M - 79/500

**Commodity:** Silica sand  
**Contact:** Joan Breisler 612-296-9071  
**Bid due date at 2pm:** December 20  
**Agency:** Department of Transportation  
**Deliver to:** Golden Valley  
**Requisition #:** S S -79/500

**Commodity:** Bituminous  
**Contact:** Joan Breisler 612-296-9071  
**Bid due date at 2pm:** December 20  
**Agency:** Department of Transportation  
**Deliver to:** Golden Valley  
**Requisition #:** B - 79/500

**Commodity:** Aggregates  
**Contact:** Joan Breisler 612-296-9071  
**Bid due date at 2pm:** December 20  
**Agency:** Department of Transportation  
**Deliver to:** Golden Valley  
**Requisition #:** A - 79/500

**Commodity:** Portland cement  
**Contact:** Joan Breisler 612-296-9071  
**Bid due date at 2pm:** December 20  
**Agency:** Department of Transportation  
**Deliver to:** Golden Valley  
**Requisition #:** P C -79/500

**Commodity:** Water treatment chemicals "heating"  
**Contact:** Dale Meyer 612-296-3773  
**Bid due date at 2pm:** January 1  
**Agency:** Various  
**Deliver to:** Various  
**Requisition #:** Price Contract

**Commodity:** Linens  
**Contact:** Ann Wefald 612-296-2456  
**Bid due date at 2pm:** December 23  
**Agency:** Various  
**Deliver to:** Various  
**Requisition #:** Price Contract

**Commodity:** Bituminous  
**Contact:** Joan Breisler 612-296-9071  
**Bid due date at 2pm:** December 20  
**Agency:** Department of Transportation  
**Deliver to:** Duluth  
**Requisition #:** B - 79/100

**Commodity:** Aggregates  
**Contact:** Joan Breisler 612-296-9071  
**Bid due date at 2pm:** December 20  
**Agency:** Department of Transportation  
**Deliver to:** Duluth  
**Requisition #:** A - 79/100

## State Contracts and Advertised Bids

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**Commodity:** Winter sand  
**Contact:** Joan Breisler 612-296-9071  
**Bid due date at 2pm:** December 20  
**Agency:** Department of Transportation  
**Deliver to:** Duluth  
**Requisition #:** Price Contract

## Department of Administration: Print Communications Division

Printing vendors for the following printing contracts must review contract specifications in printing buyers office at 117 University Avenue, Room 134-B, St. Paul, MN.

**Printing vendors NOTE: Other printing contracts can be found in the Materials Management Division listing above, and in the Professional, Technical & Consulting Contracts section immediately following this section.**

**Commodity:** Official Small Animal Health Certificate, negs available, 1-sided, 15M sets, 8" x 5 1/4" detached, top and bottom stubs, carbon interleave, 4 parts, preprinted numbering, top pad w/chipboard, wrap around cover, stitch top  
**Contact:** Printing Buyer's Office  
**Bids are due:** December 12  
**Agency:** Board of Animal Health  
**Deliver to:** St. Paul  
**Requisition #:** 20153

**Commodity:** Title Application, camera ready copy, negs available, 2-sided, head to head, 400M 3-part snap out sets, 8 1/2" x 11", top stub  
**Contact:** Printing Buyer's Office  
**Bids are due:** December 12  
**Agency:** Department of Public Safety  
**Deliver to:** St. Paul  
**Requisition #:** 20158

## Announcements

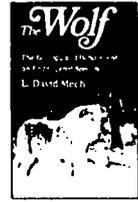
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**Minnesota Water '92:** Sustaining water resources in the '90s and beyond—Minnesota Water '92 is the third in a series of biennial conferences designed to examine the spectrum of water issues confronting the state. It provides a forum that brings together the state's water managers, local officials, university researchers, and technical experts from the public and private sector to integrate recent developments in legislative, research and policy issues related to the state's diverse water resources. Sponsored by the University of Minnesota Water Resources Research Center, the Water Resources Committee of Minnesota Environmental Quality Board, and the Minnesota District of U.S. Geological Survey, the conference will be held February 13 and 14, 1992 at the Convention Center in Downtown Minneapolis, Minnesota. • For further information, contact the Water Resources Research Center at 612/624-9282 or write to the Water Resources Research Center, University of Minnesota, 1518 Cleveland Avenue, St. Paul, MN 55108.

**Environmental Quality Board (EQB):** Comments are due December 26 on the EAWs (environmental assessment worksheets) on the following projects at their listed regional governing units: **Sustane Corporation** Composting Facility Modifications, Minnesota Pollution Control Agency, Paul R. Schmiechen, 520 Lafayette Road, St. Paul, MN 55155, 612/296-7795; **Cardiac Pacemakers, Inc. Facility Expansion**, City of Arden Hills, Gary Berger, City Hall, 1450 West Highway 96, Arden Hills, MN 55112, 612/633-5676; **Finger Lakes Habitat Rehabilitation and Enhancement Project**, Minnesota Department of Natural Resources, Thomas W. Balcom, 500 Lafayette Road, St. Paul, MN 55155-4010, 612/296-4796.

# Looking for Holiday gift ideas? Minnesota's Bookstore recommends...



**The Wolf.** Follow the tracks of an endangered species. Learn about the personality, social order, pack composition and family life of the wolf. Trace its behavior beginning at birth. Uncover the wolf's possible future fate. 384 pgs. Stock No. 9-45. \$12.95.

**Mammals of Minnesota.** Discover the history of past and present Minnesota mammals. From bats to porcupines, beavers to opossum, this thorough reference is packed with information. 290 pgs. Stock No. 19-35. \$16.95.

**Minnesota's Job Seeker's Sourcebook.** Excellent resource for job seekers: how to get started, where to find help, local government and private employment agencies, resume services, job banks, recruitment publications, school career centers, and MORE! 189 pgs. Stock No. 19-30. \$14.95.

**Twin Cities Reader: the "best urban hiker's guide" and easy-to-follow maps on 200+ Metro area and statewide walking sites. Includes helpful tips, walking club information, and health benefits from walking.** 364 pgs. Stock No. 9-42. \$14.95.

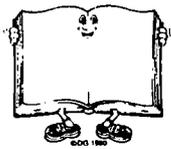
**Minnesota's Endangered Flora and Fauna.** 300 species are covered ranging from mosses and lichens to butterflies and fish. Endangered and threatened species are illustrated. State distribution maps are provided. 473 pgs. Stock No. 9-30. \$17.95.

**Prairie Skies: The Minnesota Weather Book.** Twin Cities' meteorologist Paul Douglas wrote this "user friendly" guide to understanding the weather. Cloud identification, tornadoes, forecasting equipment, the state's weather history, and more are depicted with color photos, charts, and diagrams. Includes a popular weather trivia section. Hardcover. 128 pgs. Stock No. 19-4. \$24.95.

**Minnesota Weatherguide Calendar.** This customer favorite keeps you in-the-know about weather trends, record highs & lows, sunrise/sunset times and more. Beautiful nature photographs. Wall type: Stock No. 15-10. \$8.95. Weekly engagement type: Stock No. 15-56. \$9.95.

**Cloud Chart.** A beautiful, full-colored reference chart on cloud formations that complements *Prairie Skies*. Find out how the clouds can clue you on the weather ahead. Size 15" x 11". Stock No. 19-71. \$5.00.

**FOR THE WEATHER WATCHER!**



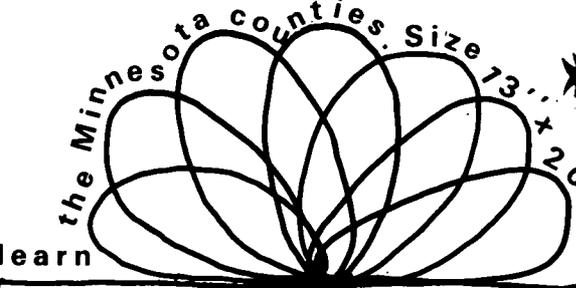
**Wake Up & Smell the Coffee.** Favorite breakfast and brunch recipes from the upper midwest's best bed and breakfast inns. From the super-simple to the simply-super, you will find recipes for beverages, muffins, coffeecakes, breads, holiday fare, desserts. Also a travel guide: information for lovers of cozy inns. Paperback. 224 pgs. Stock No. 19-66. \$12.95.

**Minnesota Ethnic Cookbook.** Explore our rich heritage and then try something different for dinner. This cookbook presents a contemporary picture, set in historic perspective, of the traditional foods of 14 ethnic groups. Paperback. 450 pgs. Stock No. 17-42. \$14.95.

**Muffins & Coffee Cakes from Minnesota.** Over 70 recipes for tasty morsels to "warm your tummy up" before heading out into the winter cold. 80 pgs. Stock No. 19-36. \$5.95.



Minnesota Puzzle, Kids



**Paul Bunyan & Babe the Blue Ox.** Introduce young children to a great Minnesota legend. Full color with fun illustrations. 29 pgs. Stock No. 17-28. \$1.25.

**Forestry for You & Me: Coloring Book.** A great tool to teach children about forest safety, occupations and more! 8 pgs. Stock No. 9-39. \$2.50.



**Nature Explorer Activity Book.** A fun way for parents to introduce children (ages 8-12) to the wonders of nature. Over 30 fun activities (outdoor/indoor) designed for children to do with adults. 72 pgs. Stock No. 9-49. \$3.95.

Stock No. 15-35. \$9.95.

